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PRESIDENT.

The Hon'ble Sir BIJOY PRASAD SINGH ROY, KT., [illegible]

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(Vacant.)

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(2) The Hon'ble Khan Bahadur MOHAMMED ALI, in charge of the Finance Department and of the Department of Health and Local Self-Government.

(3) The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN, in charge of the Education Department and of the Department of Land and Land Revenue.

(4) The Hon'ble Mr. AHMED HOSSAIN, in charge of the Department of Agriculture, Forests and Fisheries.

(5) The Hon'ble Mr. JOGENDRA NATH MANDAL, in charge of the Judicial and Legislative Departments and of the Department of of Works and Buildings.

(6) The Hon'ble Khan Bahadur ABDUL GOFRAN, in charge of the Department of Civil Supplies.

(7) The Hon'ble Khan Bahadur ABUL FAZAL MOHAMMAD ABDUR RAHMAN, in charge of the Department of Co-operation, Credit and Relief and of the Department of Irrigation and Waterways.

(8) The Hon'ble Mr. SHAMSUDDIN AHMED, in charge of the Department of Commerce, Labour and Industries.

BENGAL LEGISLATIVE COUNCIL

ALPHABETICAL LIST OF MEMBERS.

A

1. Abdulla-al-Mahmud, Mr. [Bengal Legislative Assembly.]
2. Ahmed, Mr. Nur. [Chittagong Muhammadan (Rural).]
3. Ahmed, Mr. Sultanuddin. [Dacca North-west (Rural).]

B

4. Badrudduja, Mr. Syed. [Bengal Legislative Assembly.]
5. Barua, Rai Bahadur Dhirendra Lal. [Chosen by the Governor.]
6. Bhuiya, Mr. Reajuddin. [Dacca South-East Muhammadan (Rural).]
7. Bourne, Mr. L. P. S. [Bengal Legislative Assembly.]

C

8. Chowdhury, Khan Bahadur Syed Abdur Rasid. [Tippera Muhammadan (Rural).]
9. Chowdhury, Mr. Moazzemali. [Faridpur Muhammadan (Rural).]
10. Chowdhury, Mr. Hamidul Huq. [Bengal Legislative Assembly.]
11. Chowdhury, Khan Bahadur Abdul Hamid. [Mymensingh West Muhammadan (Rural).]
12. Chowdhury, Khan Bahadur Abdul Latif. [Bengal Legislative Assembly.]
13. Chowdhury, Mr. Syed Fazle Rabbi. [Bakarganj Muhammadan (Rural).]
14. Chowdhury, Mr. Yusuf Ali [Bengal Legislative Assembly.]
15. Clarke, Mr. C. E. [Bengal Legislative Assembly.]
16. Cohen, Mr. D. J., O.B.E. [Chosen by the Governor.]

D

17. Das, Mr Lalit Chandra. [Chittagong Division General (Rural).]
18. Das, Mr. Hemendra Kumar. [Dacca Division North General (Rural).]
19. Datta, Mr. Bankim Chandra. [Bengal Legislative Assembly.]
20. Dutt, Mrs. Labanyaprobha. [Chosen by the Governor.]
21. Dutta, Mr. Kamini Kumar. [Bengal Legislative Assembly.]

E.

22. Ellahi, Khan Bahadur Sheikh Fazal. [Presidency Division South Muhammadan (Rural).]

G.

23. Gofran, The Hon'ble Khan Bahadur Abdul. [Noakhali Muhammadan (Rural).]

H.

24. Haque, Khan Bahadur A. M. Shahoodul. [Bengal Legislative Assembly.]
25. Haque, Sir Md. Azizul, K.C.S.I., C.I.E., Khan Bahadur. [Presidency Division North (Rural).]
26. Hosain, The Hon'ble Khan Bahadur Saiyed Muazzamuddin. [Bengal Legislative Assembly.]
27. Hossain, Mr. Latafat. [Chosen by the Governor.]

J.

28. Jaipuria, Mr. Mungturam. [Bengal Legislative Assembly.]
29. Jan, Alhadj Khan Bahadur Shaikh Muhammad. [Bengal Legislative Assembly.]
30. Jana, Mr. Satish Chandra. [Burdwan Division South-West General (Rural).]

K.

31. Kabir, Mr. Humayun Z. A. [Bengal Legislative Assembly.]
32. Khan Alhaj Yar Ali. [Bengal Legislative Assembly.]
33. Khan, Khan Sahib Mobarak Ali. [Rajshahi-*cum*-Malda Muhammadan (Rural).]
34. Khan, Maulana Muhammad Akrum. [Bengal Legislative Assembly.]

L.

35. Latif, Mr. Abdul. [Rangpur Muhammadan (Rural).]

M.

36. Maitra, Rai Bahadur Brojendra Mohan. [Rajshahi Division South-East General (Rural).]
37. Majid, Mr. Syed Abdul. [Bengal Legislative Assembly.]
38. Mazumdar, Mr. Haridas. [Bengal Legislative Assembly.]
39. Moholanabish, Mr. Nagendra Nath. [Rajshahi Division North-West General (Rural).]
40. Morgan, Mr. George. [European.]
41. Mukherjea, Mr. Tarak Nath. [Bengal Legislative Assembly.]

N.

42. Nahar, Mr. Bijoy Singh. [Calcutta General (Urban).]
43. Nelson, Mr. J. L. [European.]
44. Nimmo, Mr. T. B. [Bengal Legislative Assembly.]

P.

45. Pathan, Khan Bahadur Ghyashuddin. [Mymensingh Muhammadan (Rural).]

R.

46. Rahman, Khan Bahadur Mukhlesur. [Rajshahi Division North Muhammadan (Rural).]
47. Rashid, Mr. Abdul. [Burdwan Division Muhammadan (Rural).]
48. Ray, Rai Bahadur Jogendra Nath. [Burdwan Division North-East General (Rural).]
49. Ray, Dr. Kumud Sankar. [Dacca Division South General (Rural).]
50. Roy, Mr. Amulyadhone. [Bengal Legislative Assembly.]
51. Roy, Mr. Biren. [Calcutta Suburbs General (Urban).]

52. Roy, Mr. Biswanath. [Presidency Division General (Rural).]

53. Roy, Mr. Patiram. [Bengal Legislative Assembly.]

54. Roy Chowdhury, Mr. Birendra Kishore. [Bengal Legislative Assembly.]

55. Robertson, Miss Ethel, C.S.P. [Chosen by the Governor.]

S.

56. Sanyal, Mr. Charu Chandra. [Bengal Legislative Assembly.]

57. Sen, Mr. Satish Chandra. [Chosen by the Governor.]

58. *Singh Roy, The Hon'ble Sir Bijoy Prasad. (Bengal Legislative Assembly.]

59. Steuart, Mr. F. C. J. [European.]

T.

60. Talukdar, Dr. Kasiruddin. [Bogra-*cum*-Pabna Muhammadan (Rural).]

61. Taufiq, Mr. Md. [Bengal Legislative Assembly.]

W.

62. Wahiduzzaman, Khan Sahib. [Bengal Legislative Assembly.]

Y.

63. Yusuf, Haji Md. [Calcutta and Suburbs Muhammadan (Urban).]

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 1.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 25th July, 1946, at 2·15 p.m., being the first day of the First Session of 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Oath of members.

Mr. PRESIDENT: Order, order. Those honourable members who have not yet taken or subscribed the oath as required under section 67 of the Government of India Act, 1935, may do so now.

The following members took the oath:—

Miss Ethel Robertson, C.S.P.

Khan Bahadur Abdul Hamid Chowdhury,

Mr. George Morgan, C.I.E.,

Mr. Hemendra Kumar Das,

Mr. Satis Chandra Sen,

Mr. C. E. Clarke,

Mr. Muhammad Taufiq, and

Mr. Tarak Nath Mukherjea.

Reference to the political situation.

Mr. PRESIDENT: It is my privilege to welcome the honourable members both old and those who are newly elected to this meeting of the House after a lapse of nearly sixteen months. By a Proclamation issued under section 93 of the Government of India Act, 1935, the Legislature was suspended on the 31st of March, 1945, and this is the first session since the revival of the Constitution on the 24th of April, 1946. During the period the House had been under suspension many important events of far reaching consequence had taken place. The devastating War that had been raging since 1939 came to an end resulting in a complete victory of the Allied powers. The United Nations Organisation has been set up with the idea of helping the establishment of permanent peace and security in the world and of avoiding wars in future. India had been promised freedom by Great Britain and the right of framing her own future political Constitution. The visit of the Cabinet Mission to India as a preliminary to the implementation of that promise and the setting up of the Constituent Assembly after prolonged negotiations to enable India to shape her own destiny is no doubt a very momentous event in the political life of this country. I however regret to observe that the Upper House has been denied the privilege of taking part in the election of the Constituent Assembly. I may inform you that as requested by the honourable members the Chair fully represented your claims in this respect to the authorities concerned but unfortunately it was of no avail.

The war is over but the sufferings that it has brought in its train have not yet mitigated. India that had to make tremendous sacrifices and face terrible privations is still in the grip of those sufferings. I hope and pray that this land of plenty will before long through the mercy of Providence be once again restored to her normal conditions to the relief of millions of humanity.

Obituary References.

Mr. PRESIDENT: It is now my melancholy duty to pay our tribute of respect to the memories of those valued friends and colleagues whom we have lost since the House met last in 1945 and also to mourn the loss of some of illustrious sons of India who passed away during this period.

We have lost three of our honourable colleagues, namely, Mr. Kader Baksh, Mr. Humayun Reza Chowdhury, and Khan Bahadur Md. Abdul Momin since we last met.

Mr. Kader Baksh had a long and varied experience of public affairs and was a veteran legislator. He was a man of amiable manners and balanced views. The late Mr. Kader Baksh could always make useful contributions to the debates of this House. We shall greatly miss his genial personality.

Mr. Humayun Reza Chowdhury scion of a well known and ancient Muslim family of Bengal represented the Rajshahi-*cum*-Malda Muhammadan (Rural) Constituency of this House. But due to indifferent health during the last few years he was often obliged to keep himself absent from its meetings or was prevented from taking active part in the proceedings of this House. He was a perfect gentleman and had charming manners.

Khan Bahadur Md. Abdul Momin belonged to an ancient and aristocratic Muslim family of the district of Burdwan. His father and grandfather held high and responsible positions under Government open to Indians in those days. His father Nawab Abdul Jabbar Khan Bahadur, C.I.E., of revered memory after retirement from Government service became Prime Minister of Bhopal State. He was one of those personalities who used to be held in high respect in Bengal by Europeans and Indians alike. The late Khan Bahadur Abdul Momin joined Government service as a Sub-Deputy Collector in 1897 and remained in the Provincial Service till 1905. He was appointed Under-Secretary in the Revenue Department in 1916 and held the responsible position of Press Censor during the first Great War. He was also the first Indian Director of Land Records and the first Indian Commissioner of a Division from the members of the Provincial Executive Service. After his retirement from Government service in 1931 he was appointed by the Government of India a member to the Indian Legislative Assembly and later on he was elected a member of the old Bengal Legislative Council. The late Khan Bahadur rose to eminent positions in official and public life through merit, perseverence and dint of his character. He used to be held in high respect by the Hindus and Muslims alike. The House has lost in him a legislator of vast experience and the Chair a valued friend and an old colleague.

May their soul rest in peace!

I would now request the honourable members to rise in their places as a mark of respect to the memory of these departed colleagues.

(The members rose in their places.)

Thank you, gentlemen.

Before taking up the business on the agenda I have to perform further melancholy duty, namely, to refer to the sad demise of some of the foremost Indians who occupied eminent positions in the public life of this country and who commanded respect and admiration not only of their own countrymen but also of people abroad.

First I would mention the name of the Right Honourable V. S. Srinivasa Sastri. He had a long and eventful career. He was the first Agent of the Governor-General in South Africa. Mr. Sastri started his life as an educationist. Coming under the influence of the late Gopal Krishna Ghokhale he joined the Servants of India Society in 1906 and became its President. He became a member of the Madras Legislative Council in 1930 and the Imperial Legislative Council in 1916 and later on of the Council of State on the introduction of the Montford Reforms. The late Mr. Sastri served as a member of the Southborrough Committee when the Reforms Act of 1919 was on the Legislative anvil. He was also a member of the Railway Committee presided over by Sir William Acworth in 1921. In 1919 he paid his first visit to England as a member of the Liberal Deputation and again in 1921 as India's representative to the Imperial Conference. He represented India in the same year at the League of Nations Assembly and also at the Conference on the Limitation of Armaments at Washington. In 1922 Mr. Sastri visited the Dominions of Canada, Australia and New Zealand as representative of India and urged with great ability the case for the removal of colour bar in the Dominions. Mr. Sastri was one of the Indians who took a prominent part in the first and second Round Table Conferences. A Liberal by conviction he was one of the leaders of the Liberal Party in India and was more than once elected President of the Indian National Liberal Federation. He was appointed a member of the Privy Council by His Majesty the King who also appointed him a Companion of Honour. Mr. Sastri received the high civic distinction of the freedom of the city of London. A great political thinker and orator of persuasive eloquence the late Mr. Sastri was one of India's elder statesmen and commanded universal respect of his countrymen for his character, ability and selfless devotion to the cause of India's freedom. The country is distinctly poorer today by his death.

Sir Nripendra Nath Sircar another illustrious son of India passed away in September, 1945. His career and the account of his meteoric rise at the Bar are too well known to be recounted on this occasion. A brilliant scholar, a great jurist and an able advocate Sir Nripendra was undoubtedly one of the India's giant intellects. His services in the field of law and politics were unique. As author of the amended Indian Companies Act and of the Indian Insurance Act he would be long remembered as one of the greatest law members of the Government of India. In him Bengal has lost one of her noblest sons and India a front rank statesman and a great jurist whose services would have been invaluable to the country in shaping the future Constitution.

Another great lawyer a brilliant Parliamentarian and a noble statesman of wide political views whose death we deeply mourn is Mr. Bhulabhai Desai. As leader of the Opposition in the Central Legislative Assembly he for a number of years rendered unique services to the country and his memory would remain evergreen in hearts of his grateful countrymen.

Another noble son of Bengal who passed away since the last meeting of this House was Mr. Jatindra Nath Basu. He had been associated with the Bengal Legislature for nearly quarter of a century. Following in the footsteps of his illustrious uncle the late Mr. Bhupendra Nath Basu, Mr. Jatindra Nath Basu took a deep and active interest in constructive politics. Throughout his long and eventful life inspired by the true spirit of liberalism Mr. Basu practised the noble principle of charity for all and malice towards none. He occupied a unique position in the social life of Calcutta and was one of its most respected citizens. In his death the Chair has lost a noble friend and a genuine well-wisher whose memory he will always cherish with admiration and respect.

I also refer to the death of Dr. Sir Upendra Nath Brahmachari, another eminent son of Bengal. He was a great scientist and by his discovery of Uria Stibamine the specific for Kala-azar, he rendered a noble service to

humanity. Throughout his long life he was deeply interested in scientific education and was closely associated with the activities of the Senate of the Calcutta University as one of its Fellows.

I would request the honourable members once more to rise in your places out of respect of the memories of the deceased.

(The members rose in their seats.)

I will with your consent convey the message of condolence on behalf of the House to the members of the bereaved families.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, our precedent is to adjourn the House when a sitting member dies. So, are you going to adjourn the House following that precedent?

Mr. PRESIDENT: No, because the budget is going to be presented today, as you know. I would rather deviate from that precedent at least on this occasion. But this should not be a precedent.

QUESTIONS AND ANSWERS

Questions regarding Public Accounts Committee.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I am somewhat at a disadvantage so far as this question is concerned because the answer was framed by my predecessor in the last Ministry sometime ago last year; this question did not come up to me for revision, and I have not dealt with the file regarding it. Therefore, if there is going to be any supplementary questions, I would request you——

Mr. PRESIDENT: In that case I would suggest that this question be postponed. If the Hon'ble Minister wishes he can recast the answer and it may be replied to later on. Therefore, this question and the next one are postponed.

Appointments in Local Bodies.

3. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state if it is a fact that the percentage of the Muslims and Scheduled Caste employees in the self-governing institutions, such as, district boards and municipalities in Bengal, is very small?

Mr. ABDUL RASHID, Parliamentary Secretary (on behalf of the Minister in charge of the Department of Health and Local Self-Government): Yes. Appointments are made by the local bodies themselves, and are not subject to the Communal Ratio Rules. Government has issued a general letter to all municipalities and district boards requesting them to pay due attention to communal considerations when making appointments; but it should be observed that the letter must be in the form of a request, and cannot issue as an order.

Mr. LALIT CHANDRA DAS: Are Communal Ratio Rules applicable to nominations to local bodies?

Mr. ABDUL RASHID: No.

Mr. LALIT CHANDRA DAS: If Communal Ratio Rules are not applicable to nominations to local bodies, then will the Hon'ble Minister please explain why Government issued a general letter to all municipalities and district boards, requesting them to pay due attention to communal considerations?

Mr. ABDUL RASHID: This is a question of making appointments and not nominations. In the former case we can only make a representation to the local bodies in the form of a request and not as an order.

Mr. LALIT CHANDRA DAS: I put a question to give us the reason why Government issued any general letter to all municipalities. With regard to appointments in local bodies these are nominations and not appointments to substantive posts. When the Communal Ratio Rules are not applicable to them, my question is as to why Government should issue a general letter to all municipalities regarding communal considerations?

Mr. HAMIDUL HUQ CHOWDHURY: The question is as regards appointments but my learned friend is asking a question about nominations.

Mr. LALIT CHANDRA DAS: The objection raised by my honourable friend is not applicable to the facts of the present case.

Mr. PRESIDENT: Mr. Das, the point is that here the question is regarding appointments, and it has nothing to do with nominations.

Mr. LALIT CHANDRA DAAS: Let me reply to this point, Sir. The reply has already been given by the Parliamentary Secretary that the Communal Ratio Rules do not apply to appointments to local bodies. My question was on the point that a general letter was issued to all municipalities. After all, these appointments are nominations, persons nominated to local bodies and——

Mr. PRESIDENT: I am afraid not.

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister please state if it is not a fact that the pay and allowances attached to these posts of offices in local bodies are not at all attractive?

Mr. ABDUL RASHID: It is a matter of opinion.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please state whether it is a fact that some municipalities in making appointments show partiality in favour of some community and disfavour against other communities?

Mr. ABDUL RASHID: In respect of some bodies the answer is yes.

Mr. HAMIDUL HUQ CHOWDHURY: Is it a fact that Government do give a large amount of grants to local bodies?

Mr. ABDUL RASHID: Yes.

Mr. HAMIDUL HUQ CHOWDHURY: Can the Government say that they cannot enforce their request by stopping these grants?

Mr. ABDUL RASHID: Although Government can stop the grant, they cannot enforce their will for appointments.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state if the Government are aware of the fact that he who pays for the piper also calls for the tune?

(No reply.)

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state in which municipalities partiality is shown in respect of some community?

Mr. ABDUL RASHID: I want notice.

Mr. LALIT CHANDRA DAS: How can the Hon'ble Minister make such aspersion?

Mr. ABDUL RASHID: Because representations have been made to the Government.

Mr. PRESIDENT: Yes, Mr. Mazumdar——

Mr. LALIT CHANDRA DAS: The Hon'ble Minister was speaking of representations: will he say from which municipalities he has received——

Mr. PRESIDENT: Mr. Das I have already asked Mr. Mazumdar to put supplementary questions.

Mr. HARIDAS MAJUMDAR: Is it a fact that qualified members of the Muslim League get better jobs?

Mr. ABDUL RASHID: No, that is not the case: better qualified men get better jobs.

Mr. BIREN ROY: Will the Hon'ble Minister be pleased to consider the desirability of sending a modified request to the municipalities that the appointments in future be made according to population ratio in the municipalities?

Mr. ABDUL RASHID: That is a useful suggestion and that will receive consideration.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state whether Government intend to make their request a little more forceful?

Mr. ABDUL RASHID: That will also receive consideration.

Question regarding high price of fish and milk in Chittagong.

The Hon'ble Mr. AHMED HOSSAIN: I would like to submit that the answer to this question was drafted on 6th March, 1945, before the present——

Mr. PRESIDENT: Do you want it to be postponed?

The Hon'ble Mr. AHMED HOSSAIN: Yes, Sir.

Mr. PRESIDENT: This question is postponed.

Shortage of milk in Calcutta.

5. Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state—

(*a*) if he is aware that a serious situation has arisen in the city of Calcutta owing to severe shortage in the supply of fresh milk, greatly affecting the health of children and patients, as disclosed in a recent statement of the Health Officer of the Corporation of Calcutta;

(*b*) if the answer to part (*a*) is in the affirmative, what steps, if any, the Government propose to take to tackle the milk shortage problem in Calcutta; and

(*c*) if not, why not?

MINISTER in charge of the DEPARTMENT of AGRICULTURE, FORESTS and FISHERIES (the Hon'ble Mr. Ahmed Hossain): (*a*) and (*b*) Attention of the honourable member is invited to the statement on the subject, made by the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain, the then Minister in charge of Agriculture, on the floor of the House on the 12th June, 1944. The proposal referred to therein for prohibiting the

use of milk for non-essential purposes was duly considered by the Government, but on close examination it appeared that the price of milk in Calcutta was high, because the cost of producing it was high and that the supply was equal to, if not slightly more than, the effective demand for it. The proposal will serve no useful purpose, as it is beyond the resources of the Provincial Government to finance any scheme for utilising the milk which will be rendered surplus by the proposed prohibitory order.

In the circumstances, it was decided to drop the proposal.

(*c*) Does not arise.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state the extent of surplus milk which will be available by enforcing the declaration or the proposal of his predecessor?

The Hon'ble Mr. AHMED HOSSAIN: I cannot say exactly; but it will be more than a thousand maunds.

Mr. HAMIDUL HUQ CHOUDHURY: Will the Hon'ble Minister be pleased to state if the high price of milk at present is due to shortage?

The Hon'ble Mr. AHMED HOSSAIN: It is probably due to high prices of cattle feed, prices of cattle and high prices of other commodities.

Mr. BIREN ROY: Have the Government thought of asking the Corporation or even themselves to ensure that the supply of milk to the citizens in Calcutta is pure?

The Hon'ble Mr. AHMED HOSSAIN: That calls for some long-term measures which are under the consideration of Government.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware of the report that has been submitted by one of the experts from abroad as to the percentage of water in the milk that is being sold in the streets of Calcutta?

The Hon'ble Mr. AHMED HOSSAIN: I would ask for notice.

Mr. HAMIDUL HUQ CHOWDHURY: Is it a fact that in the report it has been said that of the 250 varieties of samples that had been taken, each one of them had been found to contain water varying from 80 to 25 *per cent.*?

The Hon'ble Mr. AHMED HOSSAIN: I would ask for notice.

Mr. HAMIDUL HUQ CHOWDHURY: If that be a fact, because it is an official report, will the Hon'ble Minister be pleased to state if the 1,000 maunds surplus milk referred to by him earlier cannot be absorbed in making the water content a little less? (Laughter.) What is the amount of shortage here?

The Hon'ble Mr. AHMED HOSSAIN: I would like to have notice.

Mr. HAMIDUL HUQ CHOWDHURY: The learned Minister said that he has already calculated that the surplus will be one thousand maunds and so he must be able to say what is the shortage?

Mr. PRESIDENT: Mr. Huq, that is not a question; it is an argument.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that previously there was a request in this House that the slaughter of dry cattle indiscriminately in the municipal slaughter house of Calcutta should be stopped so that many of them may again be made to give milk?

The Hon'ble Mr. AHMED HOSSAIN: There is a scheme under the consideration of Government for salvaging dry cattle.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister be pleased to state what steps the Government have taken to bring in cows from other provinces?

The Hon'ble Mr. AHMED HOSSAIN: Arrangements have been made with the Government of the Punjab and the Government of the United Provinces to get 500 and 1,000 heads of cattle, respectively, per month.

Supply of foodstuff to the deficit areas in Bengal.

6. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state if any foodstuff was supplied to the deficit areas of Bengal by the Government of Bengal during (*i*) the year 1942, (*ii*) January to March, 1943, and (*iii*) May to September, 1943, respectively, to relieve distress of the suffering people?

(*b*) If so, how much foodstuff was supplied to each district in the deficit areas of Bengal during these periods?

(*c*) Were any free kitchens opened in (*i*) 1942, (*ii*) January to March, 1943, and (*iii*) April to October, 1943, in any district of Bengal?

(*d*) If so, how many kitchens were opened during each of these periods and how many in each district of Bengal and how much was spent in each district for the supply of food to the poor from the free kitchens?

(*e*) Were any cereals and other foodgrains imported into Bengal from (*i*) other Provinces of India and (*ii*) other foreign countries, such as Australia, New Zealand, America or South Africa in (1) the year 1942, (2) January to March, 1943, and (3) April to October, 1943, respectively?

(*f*) If so, what is the total quantity of cereals and other foodstuffs imported from (*i*) other Provinces of India, and (*ii*) other foreign countries in each of these periods?

(*g*) Have the Government of Bengal moved through the Government of India His Majesty's Government in England to arrange shipping for importation of wheat, other cereals and foodstuffs and milk powder into Bengal from Australia, New Zealand, South and North America and South Africa to relieve the acute food shortage in Bengal? If so, what is the result? If not, why not?

MINISTER in charge of the DEPARTMENT of CIVIL SUPPLIES (the Hon'ble Khan Bahadur Abdul Gofran): (*a*)(*i*) No; but about 24,500 maunds of foodgrains were supplied to Midnapore district for cyclone and famine relief work in 1942.

(*ii*), (*iii*), (*c*) (*iii*), (*e*) (*i*) (1), (2) and (3) and (*ii*) (2) and (3) Yes.

(*b*) Two statements showing supply of foodstuff to each district in the deficit areas of Bengal for the periods January to March, 1943, and May to September, 1943, respectively, are laid on the Table. Besides what have been noted in the statements about 46,800 maunds and 162,000 maunds of foodgrains were supplied to Midnapore district during the period from January to March, 1943, and May to September, 1943, respectively, for cyclone and famine relief work.

(*c*) (*i*), and (*c*) (*ii*) (1) No.

(*d*) A statement of the number of free kitchens opened in the different districts of Bengal during the period April to October, 1943, is laid on the Table. The information about costs incurred for free kitchens in different districts is not available as no separate accounts are kept for this type of relief.

(*f*) These figures are compiled by the Central Government and it is understood that they are treated as confidential during the war-time conditions.

A statement of figures of import on Government account during the three periods is laid on the Table.

(*g*) The question whether foodgrains should be imported from abroad is one for the Central Government to decide: they were kept fully informed of the situation. Large shipments of foodgrains from abroad were received through the good offices of the Government of India.

Statements referred to in reply to Council question No. 6.

DESPATCHES TO DISTRICTS DURING THE PERIOD FROM 1ST JANUARY, 1943, TO 31ST MARCH, 1943, AND FROM 1ST MAY, 1943, TO 30TH SEPTEMBER, 1943.

Part I.

(Figures in Maunds.)

To Districts.	Rice								Paddy.							Pulses	
	January.	February.	March.	May	June	July	August	September	January.	February	March	May.	June.	July	August	May to August	September.
4-Parganas ..	..	..	..	5,000	19,000	39,000	25,270	45,954		..	..	..	..	4,000	.	..	..
adia ..	..	..	..	9,944	1,200	4,770	.	..	..	..	..	..	..	..	.	.	..
urshidabad ..	..	..	..	18,490	..	..	..	..	..	..	..	..	..	..	..	..	..
essore ..	..	..	.	3,493	..	..	..	1,000	.	..	..	..	.	..	..	..	..
urdwan ..	..	..	25,426	33,102	2,000	..	4,289	500		..	..	.	.	..		..	..
idnapore ..	.	500	..	2,000	.	..	14,000	37,318	..	..	.	..	2,500	..	5,688	..	18,404
ooghly ..	.	..	..	7,001	7,250	15,000	..	5,400	..	..	.	..	.		.	..	250
owrah ..	..	9,500	24,881	64,000	39,000	22,000	24,000	19,052	..	1,000	1,500	.	..	..		..	..
arjeeling ..	..	..	..	500	2,500	..	..	5,285	..	..	..	..		.	..	.	2,420
angpur ..	..	..	..	714	.	.	.	..	..	..	..	..	..		.	..	..
abna ..	..	..	..	..	3,500	27,863	..	.	..	..	..	.	.	.	..	..	..
acca ..	..	..	1,750	7,430	..	12,570	..	8,661	..	..	..	.	..	..	..	..	14,161
ymensingh ..	..	.	..	5,000	2,000	..	..	..	..	..	..	1,695	.	..	.	.	..
aridpur ..	..	..	3,385	14,520	3,478	45,027	.	21,000	..	..	..	19,843	..	..	.	..	37,300
akarganj ..	..	..	..	..	..	9,500	..	9,000	..	..	..	..	..		..	..	..
hittagong .	..	..	..	1,000	3,500	35,000	27,000	3,370	..	..	..	..	..		..	..	..
ippera ..	..	..	..	..	..	25,000	..	..	..	..	..	6,210	..	.	..	..	..
oakhali ..	.	..	.	.	..	25,355	3,000	..	..	..	..	..	.	..	..	..	..
Total. .	..	10,000	55,442	167,194	83,428	251,085	97,559	156,590	..	1,000	1,500	27,748	2,500	4,000	5,688	..	72,535

DESPATCHES OF WHEAT PRODUCTS AND MILLETS TO DISTRICTS DURING THE PERIOD FROM 1ST MAY TO 30TH SEPTEMBER, 1943.

Part II.

(Figures in Maunds.)

To Districts.	May.	June.	July.	Wheat Products.		Wheat.		Millets (Bajra, Maize, Jowar).				
				August.	September.	May to August.	September.	May.	June.	July.	August.	September.
24-Parganas ..	2,200	3,950	10,109	2,450	20,010	..	7,500	..	..	..	..	21,448
Nadia ..	1,350	6,895	5,955	1,000	..	..	..	..	..	..	..	..
Murshidabad ..	1,800	350	6,500	4,988	26,000	..	..	2,500	2,500	1,000	..	..
Jessore ..	1,100	6,800	7,304	990	..	..	..	..	..	..	..	..
Khulna ..	1,026	1,499	1,500	1,900	..	..	..	..	..	..	..	..
Burdwan ..	13,200	28,890	15,410	1,523	100,000	..	..	..	1,943	10,000	..	6,700
Birbhum ..	1.350	2,550	5,200	4,000	..	..	..	..	..	..	..	..
Bankura ..	1,350	2,400	1,200	1,200	80,000	..	..	..	..	..	..	..
Midnapore ..	3,150	11,900	15,500	19,100	98,800	..	..	491	501	540	2,503	24,002
Hooghly ..	1,400	2,142	9,198	8,241	35,000	..	8,000	1,964	..	6,100	..	11,715
Howrah ..	4,000	5,000	..	8,242	18.776	..	..	..	4,546	..	..	15,620
Rajshahi ..	2,500	2,500	1,405	1,000	..	..	..	..	..	..	..	..
Dinajpur ..	1,000	2,730	2,545	2,000	2,000	..	..	..	..	..	..	..
Jalpaiguri ..	3,000	1,800	550	3,100	..	..	..	..	..	..	..	..
Darjeeling ..	2,560	4,060	4,400	9,620	15,200	..	..	..	..	..	..	8,858
Rangpur ..	1,200	2,150	2,500	2,000	..	..	..	..	..	..	..	..
Bogra ..	600	..	1,000	1,500	..	..	..	..	..	..	..	..
Pabna ..	800	6,700	3,300	5,600	..	..	..	..	12,500	..	22,438	..
Malda ..	800	1,600	400	800	..	..	..	..	..	..	..	..
Dacca ..	10,740	21,970	31,850	19,900	153,600	..	..	..	12,500	16,500	..	16,000
Mymensingh ..	1,832	800	2,625	3,500	2,025	..	..	..	12,500	9,452	3,048	18,792
Faridpur ..	310	3,390	6,000	4,500	..	..	..	..	..	..	34,998	16,078
Bakarganj ..	300	10,500	8,700	10,000	..	..	..	..	1,500	2,835	..	5,000
Chittagong ..	3,000	5,000	11,000	10,000	80,000	..	..	..	19,600	20,100	..	28,832
Tippera ..	300	900	2,400	1,200	..	..	..	..	..	..	..	..
Noakhali ..	600	1,000	5,175	5,300	40,000	..	..	..	5,000	10,500	..	..
Total ..	61,700	137,476	161,726	133,654	671,411	..	15,500	4,955	73,089	77,027	62,987	173,045

N.B.—Statement for the period from 1st January, 1943, to March, 1943, is *nil*.

HE NUMBER OF FREE KITCHENS STARTED IN VARIOUS DISTRICTS DURING THE PERIOD APRIL TO OCTOBER, 1943.

Burdwan	219	Faridpur	162
Birbhum	186	Bakarganj	335
Bankura	219	Chittagong	601
Midnapore	1,407	Tippera	474
Hooghly	235	Noakhali	604
Howrah	90	Rajshahi	16
24-Parganas	311	Dinajpur	8
Nadia	61	Jalpaiguri	10
Murshidabad	194	Rangpur	223
Jessore	26	Bogra	33
Khulna	76	Pabna	29
Dacca	281	Malda	5
Mymensingh	110	Darjeeling	1
Calcutta	220		

Food Committees in the industrial areas.

7. **Mr. LATAFAT HOSSAIN:** Will the Hon'ble Minister in charge of Department of Civil Supplies be pleased to state—

(*a*) what will be the functions of the Food Committees in the industrial areas, such as, Barrackpore subdivision, after the introduction of rationing there; and

(*b*) if he proposes to retain these committees to look after the interest of ration card holders?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) Food Committees have ›en abolished after introduction of rationing.

(*b*) Does not arise.

Officers in the Civil Supplies Department.

8. **Mr. BIRENDRA KISHORE ROY CHOWDHURY:** Will the on'ble Minister in charge of the Department of Civil Supplies be pleased to ate—

(*a*) what is the number of officers of the Indian Civil Service, now employed in the Civil Supplies Department;

(*b*) what is the number of officers of the Bengal Civil Service, now employed in this Department;

(*c*) what is the number of officers of the Bengal Junior Civil Service, now employed in this Department; and

(*d*) what is the number of military men now working in this Department?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) Twenty-eight.

(*b*) Forty-three (including five Bengal Civil Service officers, who are ›lding listed posts).

(*c*) One hundred and twenty-six.

(*d*) Thirty-three.

Mr. LALIT CHANDRA DAS: If that was the position on 17th October, 1944, may we know what is the position now?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I want notice.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please state whether all the 33 military officers appointed in the Civil Supplies Department are still there?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I do not carry all the names in my head. I want notice.

Inspection of foodstuff supplied to Calcutta public.

9. Mr. HUMAYUN KABIR: Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state—

(*a*) if his attention has been drawn to the resolution of the Calcutta Corporation criticising the quality of rations supplied to the public of Calcutta;

(*b*) if his attention has been drawn to the resolution of the Calcutta Corporation insisting on the right of the Calcutta Corporation to draw samples and inspect rations stocked in shops within the Municipal limits of Calcutta; and

(*c*) if it is a fact that Government have refused to permit such inspection of foodstuff by the officers of the Corporation?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Yes.

Mr. BIJOY SINGH NAHAR: May I know why the Government refused permission to the Corporation staff to inspect the foodstuff and the reason therefor?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I want notice.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister please state what has happened to the fine rice of Bengal, for all the coarse rice is being supplied in Calcutta?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I am not aware of the fact as yet.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that there is a report in North Bengal that large quantities of fine rice are being carried away out of the province for some other purposes?

The Hon'ble Khan Bahadur ABDUL GOFRAN: No.

Supplies of cloth.

10. Mr. HUMAYUN KABIR: (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state if it is a fact that supplies of cloth are now under the control of the Provincial Textile Controller?

(*b*) Is it a fact that cloth was requisitioned by him for distribution during the *Id* and the *Puja* festivals?

(*c*) How many thousands of bales were allotted for distribution in Calcutta?

(*d*) Will he please state the names of the persons who were selected as distributors in Calcutta?

(*e*) Is it a fact that most of the persons so selected have no previous experience of the trade?

(*f*) Will he please state how many of the selected distributors were in the cloth business during the basic years 1940-42?

(*g*) Will he please state how many of the selected distributors paid any income-tax on their cloth business during the basic years?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) Supplies of cloth to Bengal are under the control of the Textile Commissioner, Bombay.

(*b*) Certain varieties of cloth arriving in Calcutta and the industrial areas of Calcutta were frozen and distributed during the *Id* and *Puja* festivals.

(*c*) About 4,000 bales.

(*d*) There were 463 dealers selected as retail distributors and also five Retail Dealers Associations who distributed through their members. It is not possible to give the names of all the dealers affected.

(*e*) No.

(*f*) A large number of them were in cloth business during the years 1940, 1941 and 1942. Distributors were selected in reference to the particular requirements of particular areas.

(*g*) This information is not available in my Department.

Mr. BIREN ROY: With reference to answer (*c*)—No, will the Hon'ble Minister in charge take it from me that there are shop-keepers who have not been cloth dealers in Bengal and if so, is he prepared to cancel their ration shops?

The Hon'ble Khan Bahadur ABDUL GOFRAN: No.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please state it it is a fact that before 1942 most of the trade was in the hands of non-Bengalees in this city? If so, will he please try to remove this restriction.

The Hon'ble Khan Bahadur ABDUL GOFRAN: Attempts are being made to do so.

Mr. NAGENDRA NATH MAHALANOBISH: Is the Hon'ble Minister aware that there cannot be any such discrimination between communities and communities and between the people of this province and other provinces?

The Hon'ble Khan Bahadur ABDUL GOFRAN: No discrimination is being made.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please state whether Government intend to remove this restriction or not?

The Hon'ble Khan Bahadur ABDUL GOFRAN: As I have said already, attempts are being made to remove this restriction.

Mr. NAGENDRA NATH MAHALANOBISH: If the distribution is in the hands of the Textile Commissioner, then what part does the Government of Bengal take in the distribution of cloth in this province?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Quotas are fixed by the Government of India and then the cloths are brought by the Bengal Textile Association and then distributed to the subdivisions and then through retailers they are distributed to the consumers.

Mr. BIREN ROY: Has Government any hand in controlling the Bengal Textile Association?

The Hon'ble Khan Bahadur ABDUL GOFRAN: No, the quota is fixed by the Government of India and the cloths are distributed by the Bengal Textile Association.

Bad quality rice in ration shops.

11. Khan Bahadur Sheikh MD. JAN: Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state—

(*a*) whether it is a fact that the bad quality rice in ration shops was sealed by the Department of Rationing for replacing the same by eatable rice;

(*b*) if so, what was the quantity of such bad quality rice;

(*c*) whether it is a fact that shopkeepers are asked to sell the same rotten rice and no such rice was replaced;

(*d*) whether it is a fact that stock of rotten rice in those shops which were catering to the Europeans was replaced by good quality rice; and

(*e*) if so, why the stocks of other shopkeepers were not replaced?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) Some rice of inferior quality was earmarked at appointed retailers' shops for replacement as soon as the stock position permitted such a course.

(*b*) 16,482 maunds and 38 seers of such rice were withdrawn from appointed retailers' shops. From Government stores also 21,000 maunds of inferior rice were withdrawn.

(*c*) No. Shopkeepers were at liberty to sell the rice earmarked for withdrawal but they were not required to do so.

(*d*) No.

(*e*) Does not arise.

Mr. NAGENDRA NATH MAHALANOBISH: Will the Hon'ble Minister please state whether this inferior rice means rice unfit for human consumption?

The Hon'ble Khan Bahadur ABDUL GOFRAN: No.

Mr. NAGENDRA NATH MAHALANOBISH: Then why are they inferior?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Because they are of a soft quality.

Mr. PRESIDENT: We have been requested that question No. 12 should be postponed.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, we may take up this question, as I shall be able to supplement the answer by additions here and there. I will read the answer as it is given and then add to it.

Mr. PRESIDENT: All right.

Home Guards.

12. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state what is the total strength of the Home Guards in Bengal? Of them, how many formations are posted in the district of Tippera?

(*b*) What has been the total cost in the formation of the Home Guard in Bengal? Has any portion of this cost been borne by the Government of India?

(*c*) What is the original object with which these Home Guard organisations were started? What are their duties and functions now?

(*d*) Are these Home Guards or any of them paid? If so, what is the average monthly pay of the Captain of each formation?

(*e*) Do the Government consider the desirability of abolishing the Home Guards as unnecessary?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Home Department): (*a*) About 200,000, of which 20,130 in 671 parties are in the district of Tippera.

		Rs.
(*b*) 1942-43 (Actuals)	...	1,57,532
1943-44 (Actuals)	...	7,22,666
1944-45 (Revised Estimate)	...	15,00,000
1945-46 (Budget Estimate)	...	20,00,000

The Government of India have agreed to bear one-third of the cost of the organisation.

(*c*) The Home Guard was formed in response to a large volume of public opinion which demanded the creation of a country-wide organisation consisting of a trained and disciplined body of men to assist in preserving peace and order, to aid and assist evacuees and refugees, to stiffen and improve morale by discounting and discrediting false rumours and in the areas more immediately exposed to the danger of possible enemy action, to watch for and report to the appropriate military and civil authorities anything of a suspicious nature such as crashed aircraft or the concentration of boats, etc. The present functions and duties of the Home Guard are laid down in rule 18 of the Bengal Home Guard Rules of which a copy is laid on the Table.

(*d*) Adjutants and Assistant Adjutants of the Bengal Home Guard are paid, but Captains, Vice-Captains and members of the Home Guard do not receive any fixed pay, except only occasional block grants and special rewards for acts of gallantry.

(*e*) No.

Statement referred to in reply to Council question No. 12.

BENGAL HOME GUARD RULES.

* * * * * *

18. (*1*) The functions of the Home Guard are generally to work in co-ordination with other agencies, such as police and military units, for the preservation of peace and security. Their first duty is to create confidence among the civil population.

(*2*) They will counteract the influence of false and malicious rumours, tending to create feelings of doubt and insecurity.

(*3*) In accordance with such instructions as may be issued by the District Magistrate or Subdivisional Officer, and to such extent as may be required by them, members of the Home Guard will perform duties of the nature hereafter indicated—

(*a*) to prepare citizens for a possible emergency by making known the action that may be taken to preserve life and property in case of public disturbances, dacoities and looting, air raid damage, etc.;

(*b*) to give information to the civil authorities concerning those who repeat false rumours or otherwise try to create civil disturbance and panic;

(*c*) to assist military units before or on arrival in their area by helping to find billets or camp sites, sources of water supply and foodstuffs, etc.: they will also maintain contact [illegible] personnel in order to build up a feeling of mutu[illegible] confidence, acting as guides and interpreters [illegible] tions and games, etc.;

(*d*) to carry out an organised scheme of observation and reconnaisance throughout their area, and furnish information to the civil and military authorities concerning unusual occurrences in the locality (*e.g.*, the presence of aircraft, the arrival of strangers, concentrations of country boats, the arrival of ships near coastal areas, the movement of parties of men across country, signals by day or night, air raid damage, parachute landings, crashed aircraft, approach of enemy troops);

(*e*) in case of the evacuation of an area, to assist the evacuees by advising as to routes, helping food distribution, preventing disorder, preparing camps, etc.;

(*f*) in the event of air raid damage, to perform functions auxiliary to, or analogous with, those of the civil defence services;

(*g*) in the preservation of law and order and the maintenance of peace and security, to assist the police in protecting the lives and property of their fellow villagers against law-breakers and in patrolling railway lines and other lines of communication; and in times of disturbance or panic by their resolution and preparedness to inspire their neighbours with determination;

(*h*) to carry out regular patrols by day and night so that the whole of their area may, if necessary, be kept under constant supervision: each member of the Home Guard will also be on the alert at all times and be prepared to report occurrences of an unusual significant nature; and

(*i*) to assist in carrying out or enforcing measures for the prevention or relief of distress, *e.g.*, by the control of prices and the protection, regulation and distribution of commodities essential to the life, health and well-being of the community.

The Hon'ble Khan Bahadur MOHAMMED ALI: I want to supplement this by saying that with effect from the 30th June, this year, most of the Home Guards have been disbanded and only a skeleton staff is maintained in order to guard along the railway lines, and its approximate number is about 10,000.

Release of persons detained under Defence of India Rules.

13. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state what is the total number of persons who were detained or imprisoned under the Defence of India Rules and Act, and have so far been released by the present Ministry since its assumption of office? How many are still detained?

(*b*) In view of the improved situation in the country, do the Government propose to release them *en masse*?

(*c*) How many cases of security prisoners were reviewed in the course of last six months and as a result of that review, how many of them have been released?

(*d*) If answer to part (*b*) is in the negative, do the Government propose to appoint a committee consisting of some members of both the Houses representing different parties to review the case of the security prisoners and to advise Government as to what steps should be taken regarding them? If not, will Hon'ble Minister please state grounds for refusal?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister-in-charge of the Home Department): (*a*) The figures of the persons detained under the Defence of India Rules or imprisoned on conviction under the Defence of India Act and Rules have from time to time been supplied in answers to questions put by different honourable members in the Bengal

Legislative Council. Since the promulgation of the Restriction and Detention Ordinance, 1944, orders for detention or for continuing detention were issued under the Ordinance and not under the Defence of India Rules. All the security prisoners have since been released.

(*b*) to (*d*) Do not arise.

Vaccination with lymphs manufactured by the Calcutta Corporation.

14. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state what led Government to warn citizens of Calcutta against getting themselves vaccinated with lymphs manufactured at the Calcutta Corporation Vaccine Laboratory?

(*b*) Before warning the citizens, did the Director of Public Health or anybody have the Corporation lymph examined in a Government laboratory? If not, why not?

(*c*) Has the attention of the Hon'ble Minister been drawn to the Chief Executive Officer's statement condemning the Government action as published in the local dailies on the 16th February, 1945? What have the Government got to say to that?

Mr. ABDUL RASHID (on behalf of the Minister-in-charge of the Department of Health and Local Self-Government): (*a*) A report on examination of the Corporation lymph from Lt.-Col. C. L. Pasricha, I.M.S., Professor of Bacteriology, Tropical School, described the four samples examined as not coming up to the minimum standard laid down by the Therapeutic Substances Act. According to him they were all approximately one-third this standard. The report was issued on the 31st January, 1945. Previous to this, the Health Officer, Calcutta Corporation, had been acquainted with the defects in the method of storage, etc., of lymph in his laboratory and asked not to use the same. He, however, continued to use the same. Government had naturally no option but to warn the public that if they did get vaccinated with this lymph the desired immunity could not be guaranteed.

(*b*) The lymph was examined by Lt.-Col. Pasricha at the Government School of Tropical Medicine, Calcutta.

(*c*) All relevant points connected with the question were discussed by the Secretary of the Public Health Department at a Press Conference, report of which duly appeared in the newspapers. There were no new points raised in the Chief Executive Officer's statement which needed attention.

Mr. NAGENDRA NATH MOHOLANABISH: Will the Hon'ble Minister be pleased to state whether Government have suggested to the Corporation any method to improve the Corporation lymph?

Mr. ABDUL RASHID: I think so.

Mr. BIREN ROY: Are the Government aware that during the last epidemic season, after vaccination, a lot of persons were attacked with small-pox of a mild type within four days of that vaccination?

Mr. ABDUL RASHID: I ask for notice.

Mr. BIREN ROY: Are the Government aware that the International Union of local authorities is making an investigation into the mass vaccination and they think that mass vaccination is not the only method or the best method of preventing small-pox?

Mr. ABDUL RASHID: I am not aware of it.

Dr. KUMUD SANKAR ROY: Will the Hon'ble Minister be pleased to state whether they have asked the Corporation to refrain from using under-strength lymphs?

Mr. ABDUL RASHID: I ask for notice.

Dr. KUMUD SANKAR ROY: Will the Government make any attempt to prevent under-strength lymphs being used?

Mr. ABDUL RASHID: I ask for notice.

Female students of the Chittagong Medical School.

15. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state whether there are any female students in the Chittagong Medical School?

(*b*) If so, what is their number in 1945 and what were their number in 1943 and 1944, respectively.

(*c*) Have the Government provided any stipends or scholarships for the female students in the Chittagong Medical School as has been done in cases of the Dacca and the Campbell Medical Schools?

(*d*) If not, why not?

(*e*) Has any boarding arrangement been provided for them?

(*f*) If not, why not?

Mr. ABDUL RASHID (on behalf of the Minister-in-charge of the Department of Health and Local Self-Government): (*a*) Yes.

(*b*) 1943—4.

1944—6.

1945—8.

(*c*) and (*e*) No.

(*d*) Administrative approval was given to the creation of one scholarship of Rs. 15 per mensem in each of the 4 classes. No provision could, however, be made in the Budget for this purpose during the period of emergency.

(*f*) It is not possible to make boarding arrangements for such a small number of students. Four female students were permitted to be admitted in Chittagong Medical School each year on the express condition that arrangements for their lodging and escort to and from school could be made by their guardians.

Dr. KIRON SANKAR ROY: In answer (*d*) it is said that "Administrative approval was given to the creation of one scholarship of Rs. 15 *per mensem* in each of the 4 classes. No provision could, however, be made in the budget for this purpose during the period of emergency". The total monthly scholarship comes to only Rs. 60 and is it not astonishing that Government could not find this paltry sum because it was a period of war emergency!

Mr. ABDUL RASHID: This happened before we assumed office.

Faridpur State Orphanage.

16. Mr. HUMAYUN KABIR: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the respective numbers of stewards, matrons, lady doctors, nurses, cooks, maid-servants, store-keepers, clerks and helpers who have been discharged from Faridpur State Orphanage between July, 1944, and 15th February, 1945, without any previous notice?

(*b*) Does he propose to enquire why there were so many discharges during the period?

(*c*) Were any charge made against the employees before discharging them?

(*d*) Is it a fact that a large number of inmates have also recently left the said orphanage?

(*e*) Is it a fact that there is no arrangement for sick diet in the said orphanage and sick inmates are given the ordinary diet?

(*f*) Will he please state the names of the Superintendent and the Steward of the said orphanage and their respective qualifications?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) Matron—1; Cooks—5; Maid-servants—3; Store-keeper—1; Helpers—2.

(*b*) No.

(*c*) No formal proceedings were drawn up.

(*d*) Twelve orphans have left the orphanage.

(*e*) No, it is not a fact.

(*f*)

(*i*) *Superintendent.*

Name.	Qualifications.	Period of employment.
Maulvi Khalilur Rahman ..	M.A., B.T., B.E.S., District Inspector of Schools.	20th June, 1944, to 4th July, 1945.
Maulvi S. A. N. M. Ali Akbar ..	Sub-Deputy Collector, honorary and temporary arrangement.	5th July, 1945, to 26th July, 1945.
Maulvi Ahmadulla ..	B.Sc., B.T.	27th July, 1945, to 8th January, 1946.
Sardar Sahib Dr. Peshora Singh	Burma Medical Service, Superintendent, Auxiliary Government Hospital, honorary and temporary.	9th January, 1946, to 4th May, 1946.
Maulvi Golam Mowla Choudhury.	Sub-Deputy Collector, honorary and temporary.	5th May, 1946, to date.

(*ii*) *Stewards.*

Maulvi Md. Danesh .	B.A., B.T., Teacher of Zilla School. Left on transfer.	5th July, 1944, to 2nd September, 1944.
Maulvi Md. Ayub Ali .	B.A., B.T. Discharged, *vide* No. 1 of Question "A"; was served with notices.	12th October, 1944, to 23rd December, 1944.
Maulvi A. K. Moinuddin Ahmed Choudhury.	Read up to I.A. Ex-Viceroy's Commissioned Officer (RIASC) in Army.	24th December, 1944, to 31st March, 1946.
Maulvi Fazlur Rahman ..	Matriculate. Served previously as Superintendent of Workhouses.	1st April, 1946, to date.

Mr. BIREN ROY: With reference to answers (*b*) and (*c*) does the Hon'ble Minister agree that it is open to these discharged personnel to bring damage suits against the Government?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The posts were all temporary and those discharged were mostly menials. In the case of such temporary posts no regular proceedings are required to be drawn up before discharge.

Mr. NAGENDRA NATH MOHOLANABISH: Is it not against ordinary natural justice to discharge or dismiss people without giving them an opportunity to be heard?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In the case of purely temporary posts, when the holders of such posts are discharged or dismissed, no proceedings need be drawn up against them nor is notice necessary.

Mr. NAGENDRA NATH MOHOLANABISH: My question was whether or not under the ordinary natural justice a man should be given an opportunity to be heard before his discharge or dismissal?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That is a matter of opinion.

Supply of cloth in rural Bengal.

17. Mr. HARIDAS MAZUMDAR: (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state if he is aware that the supply of cloth in rural Bengal is very unsatisfactory, and that many districts and subdivisions are experiencing great difficulties in getting their minimum supplies, so much so that the poor villagers are compelled to pay black-market prices?

(*b*) Will the Hon'ble Minister be pleased to make a statement showing the steps the Government have so far taken and propose to take in the near future to relieve the distress of the people?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) The supply of cloth in the rural areas is admittedly unsatisfactory owing to shortage of basic supplies. It is not a fact that districts and subdivisions are experiencing difficulty in getting their minimum supplies, which, by the end of June, in a great majority of subdivisions, have been made up to the limits of the quota system worked out for distribution in the mufassal. The poor villagers are not compelled to pay black-market prices and should not do so.

(*b*) The total quantity of mill-made cloth produced by the Bengal Mills and allotted to Bengal from the surplus area is procured and distributed by a single agency under the control of Government. Supply is ultimately the concern of the Government of India and the Bengal Government can do no more than distribute available supplies throughout a Province on a population basis, as is being done.

Mr. HARIDAS MAZUMDAR: Cannot the Government of Bengal consider the necessity of this Province and make a proper representation and take active steps to secure what is just necessary for the province?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Very strong representations have been made but unfortunately all of them were turned down.

Mr. HARIDAS MAZUMDAR: If the Government of India did not listen to the representations of this Government, cannot this Government think of some method by which to supply this province with the necessary cloth?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Unfortunately this Province is so very helpless because we do not produce any cotton or yarn.

Mr. HARIDAS MAZUMDAR: So the Ministers have nothing to do.

Rationing Officers employed under the Controller of Rationing.

18. Mr. B. K. ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state—

(*a*) what is the total number of "Rationing Officers" employed under the Controller of Rationing, Calcutta, and the industrial areas;

(*b*) how many of them are Caste Hindus;

(*c*) how many of them are Muslims;
(*d*) how many of them belong to Scheduled Castes; and
(*e*) how many of them are Christians?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) Fifty-one.

(*b*) Twenty-five.
(*c*) Twenty.
(*d*) Two.
(*e*) Two and vacant two.

Workhouse at Char Bhadrashan.

19. Mr. HUMAYUN KABIR: (*a*) Will the Hon'ble Minister in charge of the Department of Co-operation, Credit and Relief be pleased to state if he is aware that the Government have set up a workhouse at Char Bhadrashan in the district of Faridpur with a capacity of about four hundred inmates for relief of persons rendered destitute by the famine in 1943?

(*b*) Is it a fact that the workhouse was supplied with food by contractors who have all along charged the Government on the basis of 400 inmates?

(*c*) Is it a fact that the Subdivisional Officer, Faridpur, Sadar, visited the workhouse in the third week of November, 1944, and reported that the workhouse was full and running in proper order?

(*d*) Is it a fact that the District Magistrate and Collector, Faridpur, paid a surprise visit to inspect the workhouse on the 27th November, 1944?

(*e*) Is it a fact that the District Magistrate and Collector found only twenty-eight inmates in the workhouse?

(*f*) Do the Government propose to ask for an explanation from the said Subdivisional Officer regarding the discrepancy between the figure of inmates and the number actually found by the District Magistrate?

MINISTER in charge of the DEPARTMENT OF CO-OPERATION, CREDIT AND RELIEF (the Hon'ble Khan Bahadur A. F. M. Abdur Rahman): (*a*) Yes.

(*b*) The contractor submitted bills for supply of food on the basis of the number of persons shown to be present in the Attendance Register.

(*c*) Yes, on the 13th August and 27th October, 1944. His inspection showed that it was in order.

(*d*) The District Magistrate paid such a visit on the 26th November, 1944.

(*e*) He found 33 destitutes present.

(*f*) A criminal case has been started against the persons concerned and the case is now *sub judice*.

The District Magistrate is making necessary enquiry for action against the Subdivisional Officer.

Mr. LALIT CHANDRA DAS: What is the name of the S. D. O.?

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: I want notice.

Mr. LALIT CHANDRA DAS: What has been the fate of the criminal case?

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: I want notice.

Mr. NAGENDRA NATH MAHALANABISH: Will the Hon'ble Minister please state who is responsible for not being able to detect the fraud before?

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: I want notice.

Mr. NAGENDRA NATH MOHALANABISH: When the Hon'ble Minister got this information did he institute an enquiry as to why the fraud was not detected so long?

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: This incident happened before the present Ministry came into office.

Mr. LALIT CHANDRA DAS: Who are the persons against whom criminal case has been instituted?

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: I want notice.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please communicate to this House the result of the case against the Subdivisional Officer?

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: I want notice.

Mr. HAMIDUL HUQ CHOWDHURY: It is a request. The District Magistrate went to inspect the workhouse on 27th November, 1944, and it is now nearly two years. So, something must have been done in the meantime.

Mr. PRESIDENT: He has asked for notice.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Government give us the information as soon as it is available?

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: Yes.

Mr. LALIT CHANDRA DAS: What is the fate of the criminal case started against the persons?

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: This is also a request and I shall look into the matter and if possible I shall give him the necessary information.

Mr. LALIT CHANDRA DAS: The Hon'ble Minister has guarded his answer by saying that "If it is possible". So, may I——

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: Because I have not seen the question. It happened during section 93 règime.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, is there no machinery in the Council Department by which they can send back the questions, as soon as a new Ministry comes into office, to make the answers more useful and up-to-date?

Mr. PRESIDENT: The usual practice is that if the reply comes after the House is prorogued then the reply stands as it is but if a new Ministry comes into office then if the Ministry wants the replies they are sent back.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, the Council Secretary can refer back the replies in view of any change in the Ministry.

Mr. PRESIDENT: The files are with the administrative departments and so it is for them to say whether they stick to the answers already prepared, or not. Questions over.

Postal Strike.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, before you take up the next question may I bring to your notice the grave inconvenience experienced by members of the House in discharging their duties on account of the general postal strike and also the very great inconvenience being suffered by the people of this province, especially by the citizens of Calcutta? I think that in this matter the local Government have their own responsibility in seeing that the depleted staff are enabled to carry on their duties so far as the Postal Department is concerned. I want to raise this question either through an adjournment of the House or by means of a short-notice question. If Government would agree to allow the House to discuss this matter on the floor of this House that would create a public atmosphere over this question of strike that would immediately help towards a solution of the difficult question that is awaiting a decision with other authorities. I want, Sir, that you should give us a time in the near future to discuss the matter.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I think it is a matter for the Government of India to make a statement on. The Provincial Government is not at all responsible for the Posts or Telegraphs Department——

Mr. PRESIDENT: Khan Bahadur Sahib, you have missed the real point. The question so far as I have understood it is whether the Provincial Government is prepared to give protection to the staff or not.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: If anybody wants protection he is getting it and we are not aware that anybody is being forced or coerced, at least Government are not aware of this. If such cases come to the notice of Government then certainly Government will take action.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, the point I want to stress is this, that it would be a strange argument to say that when a public service is entrusted to the department of another Government and when public servants are being prevented from discharging their duties, then those servants will have to go to the doors of particular officers of the Provincial Government to seek protection, that is strange logic indeed! Here the service that is being prevented from being carried on is public service and not service to a particular individual or a private company, and, therefore, in this case it is the duty of the Provincial Government to see that the ordinary avocations of the servants of the Crown are attended to by them freely and without any let or hindrence or interference. I am not raising in this connection any bigger question about the necessity or justification of such a strike or not. My point is that the matter should be discussed in this House and if I am given an opportunity I would be able to make out a case that there has been a failure of duty on the part of somebody to see that the service is kept on continuing and not prevented from functioning properly.

Mr. PRESIDENT: The point is whether you want to discuss the question of the strike or of Government giving protection to their loyal servants who want to continue. If you want to discuss the question of the strike, then certainly it is a matter which is beyond the jurisdiction of this House, but if it is a question of giving protection, if it is a question of law and order, for which the Provincial Government are responsible, then that is another matter. So what is exactly your point?

Mr. HAMIDUL HUQ CHOWDHURY: My request is to ask Government to furnish facts which are within their jurisdiction. If I cannot raise the question of the strike, I will not do so, but will confine myself to the narrower issue which is within the jurisdiction of the Local Government.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, as I have already stated Government are not at all aware that the has been any coercion or force used on anybody who is offering to do h duty, and I do not see what useful purpose such discussion will serve.

Mr. NAGENDRA NATH MOHOLANABISH: Sir, are we not entitle to discuss the question of the strike and suggest ways and means to enabl the citizens of Calcutta and Bengal to pursue their avocation, and the grea inconvenience the people are suffering owing to this strike? I submi that the question of jurisdiction does not arise at all, and we must discu the inconvenience from which we are suffering so much.

Mr. PRESIDENT: I have understood your point. But how can Provincial Ministry reply to matters that are beyond their jurisdiction? I is a Central subject. Whether the strike is legal or not, and what step are being taken by the Central Government to resolve the strike—how can Provincial Ministry say anything with regard to that? That is a grea practical difficulty.

Dr. K. S. ROY: Sir, we the public here are suffering great inconvenience and we do not care whether it is the Central or the Provincial Government that is responsible for the strike. The Ministers here may not take any responsibility or may shirk their responsibility and throw it on others, but surely this House has got every right to discuss the inconvenience almost universally felt and I maintain that this House has every right to discuss the matter fully and from all points of view.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I want to stress this point further by saying that in an adjournment motion a question like this may be objected to on technical grounds on the plea that it is not the primary concern of the Provincial Government. But can the Hon'ble Ministers say that they are not concerned with the sufferings of the people of the province? Will they not be prepared to make a representation to the proper authorities for the suffering and inconvenience caused as a result of the strike——

Mr. PRESIDENT: Mr. Chowdhury, what is your proposal?

Mr. HAMIDUL HUQ CHOWDHURY: Sir, my proposal is that Government should benevolently come forward and allot two hours for discussing this important question,—if it is not possible by an adjournment motion or by a short-notice question of full facilities being given for discussion and collecting all the materials. No technical objection should stand in the way of having such a discussion. If it is possible to discuss the matter by short-notice question, we shall bring in a short-notice question. This strike has affected the poorer section of the community more than anybody else and if this strike continues for another week hundreds and thousands will suffer. People working here or doing business here cannot send remittances home where their families are staying. The postal strike has affected these people more than anybody else.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, we are fully aware of the situation. The Government of India are also aware of the situation, but the point is whether the rules of business here permit us to raise this question here. As regards representation suggested by Mr. Chowdhury, I think the Government of India are getting reports of the strike and its effect and from their own sources they are getting all the information and I do not know what this Government can do here and whether it would be at all effective, because the Government of India are aware of the developments and they are dealing with them. I think, Sir, this House should not discuss this matter.

Mr. PRESIDENT: But Mr. Chowdhury proposes to discuss the question of the suffering and inconvenience of the people of the province and not the strike itself, by way of a short-notice question. Are Government prepared to answer the short-notice question?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: How can the Government explain the situation when they have no material. Short-notice questions may be answered; but no answers will be effective because we are not aware of the fact, we are not dealing with the matter, but the Government of India are dealing with it.

Mr. PRESIDENT: You miss the point Khan Bahadur Sahib. Mr. Hamidul Huq Chowdhury wants to raise the question of suffering and inconveniences caused by the strike to the people of the province and not the strike itself. So I think this House is certainly competent to raise this matter by a short-notice quesion. So if supplementary questions are put are you prepared to answer them?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, Sir, I have no objection to that.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, my object in bringing this matter before the House is that as the Hon'ble Minister knows, our sister province the province of Bombay is not lacking in this respect. The Chief Minister of Bombay is doing all he could to deal with the matter and taking all the credit for this. The Hon'ble Minister there knows that the public opinion is behind him and he is doing his best there. But if we do not take any steps here it may be thought that because it is a bureaucratic Government it is standing in the way of discussing the grievance of the people of the province and it is the bureaucracy that is standing in the way. That is the opinion that is being held. Whether it is just or not, I do not know. Let the representatives of this province speak out and what is the strength behind the claims that are being made by different parties we have got to see. We are not to be sacrificed when the purchaser and the seller are negotiating our fate. We have to see what the feeling is, what is the interest involved in this matter. Therefore the Provincial Government will be doing itself justice, will take credit upon themselves by arranging a discussion on this important matter.

Mr. PRESIDENT: Order, order. Mr. Huq, are you going to put only a short-notice question or do you propose to put supplementaries also on that question?

Mr. HAMIDUL HUQ CHOWDHURY: Only a short-notice question, Sir, that will facilitate a dicsussion of this matter. I am not for or against any questions in favour of any particular party. What I want is that our opinions be expressed and recorded.

Mr. PRESIDENT: Actually there cannot be a discussion on a short-notice question. You can only elicit information.

Mr. KAMINI KUMAR DUTTA: As far as I see the issue, there really must be a motion on this subject and not a question. Our views on this side of the House are that a special motion ought to be moved under rule 96. My friends on the other side say that it is within the jurisdiction of the Government of India. Certainly we know it. But at the same time the Government of India and the Governments of the provinces, they are different parts of the same machinery meant for the welfare of the people and when it appears that the people are suffering one part of the machinery certainly can ventilate the opinion of the people of the province and bring pressure upon the Government of India to give the remedy to the people. So, Sir, as far as I can understand the issue, it is not to be couched in the form of

a question. We know the sufferings; it is a patent factor. There must be a special debate on the subject so that the whole question may be fully discussed.

Mr. PRESIDENT: In the wording of the motion you shall have to be careful. Only the provincial part of the responsibility will come in.

Mr. KAMINI KUMAR DUTTA: We shall certainly have to frame the motion in the proper manner.

Mr. PRESIDENT: Mr. Huq, do you agree to move a special motion?

Mr. HAMIDUL HUQ CHOWDHURY: Yes, Sir.

Mr. HARIDAS MAZUMDAR: Let the Hon'ble Minister make a statement and on the basis of that statement we can have a discussion.

Mr. PRESIDENT: Not necessary. Khan Bahadur Sahib, do you agree to the moving of a special motion?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: If it is permissible under the rules I can have no objection. All that we can do is to forward the proceedings of this House and the speeches that will be made to the Government of India with certainly our recommendations.

Mr. PRESIDENT: Mr. Chowdhury, will you give notice of a special motion? The admissibility of the motion will depend on how you frame it.

Mr. HAMIDUL HUQ CHOWDHURY: I shall draft the motion to-day, Sir, in the manner indicated and I hope, Sir, you will take a promise from the Government for the allotment of a day.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Tomorrow is a non-official day. You can have it.

Delay in answering questions.

Mr. LALIT CHANDRA DAS: On a point of information, Sir. It will appear that the questions which were answered to-day were the subject-matter of questions from the 3rd of September, 1943. Will the present Ministry give us some sort of an understanding to the effect that if we put questions they would be speedily answered, session by session?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: We shall make an attempt to answer them as quickly as possible.

Panel of Chairmen.

Mr. PRESIDENT: Under rule 6 of the Bengal Legislative Council Procedure Rules, I nominate—

(1) Mr. Kamini Kumar Dutta,

(2) Mr. G. Morgan, C.I.E.,

(3) Khan Bahadur Sir Md. Azizul Haque, K.C.S.I., C.I.E.,

(4) Mr. Haridas Mazumdar,

to the Panel of Chairmen for the current session.

Committee of Privileges.

Mr. PRESIDENT: Under rule 120 of the Bengal Legislative Council Procedure Rules a Committee of Privileges is to be constituted by election. Under Standing Order 19(2)(*i*), I therefore fix 3 p.m. on the 31st July, 1946, as the last hour and date for receiving nominations to the said Committee.

Committee on Petitions.

Mr. PRESIDENT: Under rule 84 of the Bengal Legislative Council Procedure Rules, I nominate—

(1) Mr. Sultanuddin Ahmed,
(2) Mr. Abdulla-al-Mahmud,
(3) Mr. Charu Chandra Sanyal,
(4) Rai Bahadur Jogendra Nath Ray,

as members on the Committee on Petitions for the current financial year.

Library Committee.

Mr. PRESIDENT: Under rule 121 of the Bengal Legislative Council Procedure Rules, I nominate—

(1) Khan Bahadur Abdul Hamid Chowdhury,
(2) Mr. Hamidul Huq Chowdhury,
(3) Mr. T. B. Nimmo,
(4) Mr. Syed Badrudduja,
(5) Mr. Nagendra Nath Moholanabish,
(6) Mrs. Labanyaprobha Dutta,
(7) Mr. Humayun Z. A. Kabir,

on the Library Committee for the current financial year.

Mr. SYED BADRUDDUJA: Mr. President, Sir, will you please remove my name from the Library Committee?

Mr. PRESIDENT: Let it stand as it is at present. I shall go through the list and then decide the matter.

House Committee.

Mr. PRESIDENT: Under rule 122 of the Bengal Legislative Council Procedure Rules, I nominate—

(1) Mr. Moazzemali Chaudhury,
(2) Khan Bahadur Mukhlesur Rahman,
(3) Mr. Lalit Chandra Das,
(4) Mr. C. E. Clarke,
(5) Mr. Satish Chandra Jana,
(6) Miss Ethel Robertson, C.S.P.,

on the House Committee for the current session.

Governor's assent to Bills.

Mr. PRESIDENT: I have now to inform the House that the following Bills which were passed by both Chambers of the Bengal Legislature have been assented to by His Excellency the Governor under the provisions of section 75 of the Government of India Act, 1935:—

(1) the Bengal Legislative Chambers (Members' Emoluments) Amendment Bill, 1945, and
(2) the Albert Victor Lepers Hospital Amendment Bill, 1945.

Presentation of the Budget for 1946-47.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I rise to present to the Bengal Legislative Council the Budget Estimates for the year 1946-47.

These estimates were presented to the other House yesterday and in the statement which I made on that occasion I reviewed in detail the Budget proposals for the current year. In accordance with usual practice, copies of that statement have been supplied to honourable members for their convenience. With that statement in the hands of honourable members I think it will be sufficient if I confine my present observations to the more important features of the estimates.

The House is well aware of the fact that the financial difficulties of the Province have by no means come to an end with the end of the war. During the war when provincial expenditure rose to unprecedented heights several untapped sources of taxation were still available for exploitation. The Agricultural Income-tax, the Sales tax, the Motor Spirit Sales tax and the tax on the sale of raw jute were all levied for the first time during the years of war. It was also found possible to enhance—in some cases more than once—the rates of Excise duty, Betting tax, Entertainment tax, Electricity duty, Sales tax and Petrol tax. We have now reached a position in which hardly any further resources of worthwhile dimensions remain to be drawn upon. On the other hand a substantial decline in receipts appears to be inevitable under a number of heads like Excise and Petrol tax which were inflated by military demands during the war.

On the expenditure side, the disabling effects of the war on the economy of the Province continue to make themselves acutely felt. The circulation f money still remains at a high level while consumer goods of all kinds continue to be in very short supply. The inevitable result is the persistence of high prices which have almost brought to the breaking point the economic strain on people of moderate means. The complexity of the situation is aggravated by the worldwide shortage of food which makes it necessary not only to continue the rationing of foodgrains on a more extensive scale but also to take adequate precautionary measures against the recurrence of Famine.

What may be called the "basic" Budget for the current year provides for a revenue of 32 crores and an expenditure of 42 crores so that the deficit on revenue account amounts to 10 crores of rupees.

The following is a broad allocation of the revenue expenditure among different categories in the current year's Budget:—

1.	Abnormal—	
	Extraordinary Charges and Famine Relief ..	13 crores.
2.	Collection of Revenue—	
	Land Revenue, Excise, Stamps, Forest and Other Taxes	2 crores.
3.	Administration—	
	General Administration, Justice, Jails, Police and Press	10 crores.
4.	Interest and Pensionary Charges	2 crores.
5.	Nation-building Departments—	
	Irrigation, Agriculture, Industries, Education, Medical, Public Health and Civil Works	15 crores.
	Total ...	42 crores.

When I point out that the estimated expenditure under "Extraordinary Charges" for the procurement and distribution of foodgrains and textiles, including loss on the sale of subsidised food and the net cost of the Boat Construction Programme amounts to 10 crores; and that a further 3 crores has been provided under "Famine" for the relief of people in distress, the House will, I am sure, be able to appreciate the fact that our present predicament is due entirely to the abnormal circumstances arising out of the war.

Among items of new expenditure for which provision has been included in this year's Budget the most important relate to the liberalisation of dearness concession and enhancement of pay of low-paid Government employees. Between them, these two measures involve a total expenditure of a crore and a half, spread over practically all the heads of account. I may add that the total Provincial Bill for the payment of dearness allowance now stands at 3½ crores.

There is a number of schemes of additional expenditure under the head "Police". These are designed to increase the strength of the force and to enhance its efficiency by providing it with up-to-date equipment. The gross cost of these schemes is close upon a crore but as seventy-five per cent. is expected to be recovered from the Government of India by way of contribution, the net charge on the Provincial Budget will not exceed 25 lakhs. An increase of a similar amount under General Administration is due to the provision of a fleet of 400 jeep cars and a number of aeroplanes for improving the touring facilities for important officials. Provision has been included in the Agriculture Budget for additional "Grow More Food" schemes like the distribution of seeds, manure and agricultural implements and also for a number of new schemes for increasing the production of sugarcane and potatoes. The resultant increase is of the order of half a crore. In the Education Budget an extra 20 lakhs has been provided for the improvement of primary education and an extra 5 lakhs for the development of Secondary Education on sound lines. Finally, under Civil Works increased provision has been made for repairs to buildings which are long overdue and for the purchase of urgently needed tools and plants.

Under the remaining heads the expenditure estimates for the current year do not materially exceed what was actually spent in the previous year.

Outside the basic Budget of which the outline has just been furnished, there is what may be called the "Development" Budget for the current year which deals with the schemes of Post-War Development designed to improve the living conditions and the general economic standard throughout the Province and thus directly or indirectly to increase the national income. These schemes cover every sphere of beneficent activity including irrigation works, development of agriculture, provision of medical facilities, production and distribution of electrical energy, improvement of *bustees* and execution of public health measures, such as anti-malaria, water supply and drainage schemes. The Central Government have undertaken to provide all the funds required for approved schemes of these types up to the end of March, 1947. In the case of productive or self-financing schemes, this assistance will take the form of loans, while for other schemes, grants will be made to cover the outlay. It is obvious in these circumstances that no part of the finance required for Development Schemes has to be found by the Province out of its own resources.

The total provision made in the current year for schemes included in the Development Programme is 12 crores 10 lakhs, out of which 10 crores 45 lakhs are included in the revenue account and the balance, representing the outlay of the self-financing projects, is provided under capital heads. The

broad allocation of these provisions among the more important major heads of expenditure is as follows:—

(1) Irrigation	..	1 crore 44 lakhs.
(2) Agriculture	..	1 crore 71 lakhs.
(3) Industries	..	1 crore.
(4) Medical	..	3 crores 81 lakhs.
(5) Public Health	..	82 lakhs.
(6) Road Development	..	92 lakhs.
(7) Miscellaneous	..	1 crore.

It is neither possible nor necessary to refer to all the schemes comprised in the Development Programme in course of the present statement. I shall therefore confine my observations to the more prominent among these schemes.

Under Land Revenue, there is a provision of 4 lakhs for the commencement of Revisional Settlement Operations in the Sundarbans as a prelude to the liquidation of the Permanent Settlement. The operation of the full scheme of liquidation will of course occupy a number of years and will cost a very large amount.

Under "Irrigation" mention may be made of the Mor Project which is estimated to involve a total expenditure of 4 crores 38 lakhs and for which a provision of 70 lakhs has been made in the current year. The scheme is intended to irrigate a very large area and thereby increase the outturn of paddy by about 44 lakhs of maunds per year. A provision of 30 lakhs has been made for the re-excavation and improvement of derelict irrigation tanks, thousands of which lie scattered throughout the Province. These tanks, when properly improved, will not only provide water for irrigation purposes but will also improve the facilities for pisciculture. There is also a provision of 20 lakhs for minor projects of irrigation and drainage.

Under "Agriculture" there is provision of 11 lakhs for the establishment of 29 seed multiplication farms, one of which will be set apart for jute and the others will be used for paddy and foodgrains. The farms will enable improved seeds of departmental extraction to be distributed among agriculturists through seed stores at Thana headquarters for the establishment of which a further 11 lakhs has been provided. Other provisions include 11 lakhs for the improvement of the Dacca Agricultural Institute, and 8 lakhs for the improvement of the Agricultural Institutes at Chinsura and Doulatpur and the opening of a new Agricultural Institute at Gaibandha. These Institutions with their expanded facilities for training will be able to turn out a large number of properly qualified technical personnel, lack of which at present holds up progress in most of our Agricultural schemes.

Another item which calls for individual mention is a provision of 58 lakhs for a Live-stock Breeding *cum* Research Station at Haringhata near Kanchrapara. The Farm will breed high grade cattle, goats and poultry and will sell the animals as well as milk and milk products while the Research Section will investigate up-to-date methods of cattle breeding, agronomy, and dairying. There is a provision of 8 lakhs for a smaller scheme at Kalimpong for the breeding of *siri* bulls, hill goats, hill sheep and the raising of improved varieties of hill paddy, maize, flax and pyrethrum.

Under "Industry" provision has been made for a number of productive schemes. The first of these involving an outlay of 20 lakhs is designed to carry out electrification of an area of about 2,200 square miles lying within the triangle formed by Gouripore, Burdwan and Krishnagore. The object in view is to accelerate the industrial development of the area which is well-served by roads and railways. The next item is a provision of 15 lakhs, representing the first instalment of the Provincial Government's share in the

capital of a large scale Fertiliser Factory at Sindri in Bihar, which is being started by the Government of India. A sum of 13 lakhs has been provided for starting rural industrial centres on commercial lines under a centralised production and marketing organisation. Finally, there is a provision of 5 lakhs for the exploitation of coastal and estuarine fisheries according to up-to-date scientific and commercial methods.

Among other provisions under "Industries" may be mentioned 14 lakhs for the development of sericulture, 8 lakhs for the expansion of the Department of Fisheries, 6 lakhs for the expansion of the textile institute, 4 lakhs each for the reorganisation of the Ceramic Institute and the Tanning Institute and last, but not the least in importance, 3 lakhs for a scheme of increased production of quinine.

Under "Medical" the largest single provision is one of 2 crores 10 lakhs for the conversion of 23,000 emergency beds in Famine Relief Hospitals into quasi-permanent ones in properly equipped Auxiliary State Hospitals in rural areas. There is a provision of 45 lakhs for the improvement of existing Hospitals. Provisions have also been made for converting the Dacca Medical School and the Campbell Medical School into Medical Colleges and for setting up a temporary Medical College in the Lake area of Calcutta. It is also proposed to start an Infectious Diseases Hospital in Calcutta, a Tuberculosis Sanatorium at Amulia and a fully equipped Tuberculosis Hospital at Kanchrapara.

Under "Public Health" the largest single provision is one of 50 lakhs for a comprehensive rural water supply scheme designed with the object of sinking at least two thousand additional tube wells per year. There is also provision of 20 lakhs for the improvement of water-supply and drainage in municipal areas.

Under "Education", two important provisions exist for the improvement of primary education. The first is a provision of 20 lakhs for the improvement of the prospects of primary school teachers and the second is one of 16 lakhs for the training of primary school teachers. There are also provisions for the expansion of post-graduate research, improvement of the engineering courses at Shibpur and Jadavpur, training of ex-service personnel and equipment of Government Educational Institutions.

Miscellaneous items which call for special mention include 15 lakhs for the housing of *bustee*-dwellers, 40 lakhs for setting up a provincial fire service and 50 lakhs for the purchase of surplus military stores, lands, buildings, equipment, etc., for utilisation in connection with the Development Programme or the current administration of nation-building activities.

I would also draw the attention of the House to the provision of one crore under Civil Works for the construction of Provincial highways and major District Board roads. There is, in addition, a provision of 56 lakhs for expenditure on national highways passing through this Province This charge will be borne directly by the Central Government and does not therefore inflate the Provincial Development Budget.

The task which confronts us in this our first Post-war financial year is charged with the gravest import for the future welfare of the Province. During the war, while other Provinces reaped the benefit of large-scale industrial and commercial operations based on military requirements, Bengal, by reason of her close proximity to the Eastern Zone of hostilities, had to bear the full brunt of the disrupting effects of the war on her internal economy. This was clearly reflected in the emergence of enormous deficits in her Budget year after year while all other major Provinces were piling up substantial reserves of revenue. Our most pressing and immediate problem is to repair the damaged fabric of economic life which is threatened yet further by the world-wide shortage of food and also, in certain localities, by a visitation of floods and natural calamities. Simultaneously, our long-term

budgetary plans lay down the foundation for the great works of national reconstruction which are so vitally necessary for our well-being and progress. These are objectives on which there can be no difference of opinion between party and party and I hope and trust that Government will have the solid support and co-operation of all sections of the House in the important and arduous task which lies ahead. We are on the threshold of momentous developments and I venture to suggest that this is undoubtedly a time when parties should make a common cause of humanity and work together wholeheartedly for the welfare of the country.

With these words Sir, I commend the Budget to the consideration of the House.

Laying of Ordinance.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN Sir, I beg to lay before the Council the Bengal Finance (Extending Ordinance, 1946, as required under section 88(2) (*a*) of the Government of India Act, 1935.

Mr. PRESIDENT: Order, order. The House stands adjourned till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Friday, the 26th July 1946.

Members absent.

The following members were absent from the meeting held on the 25th July, 1946:—

(1) Mr. Abdulla-al-Mahmud,

(2) Mr. Yusuf Ali Chowdhury,

(3) Khan Bahadur Sheikh Fazal Ellahi,

(4) Khan Bahadur Sir Md. Azizul Huq, C.I.E.,

(5) Maulana Md. Akram Khan,

(6) Mr. Syed Abdul Majid,

(7) Khan Bahadur Mukhlesur Rahman, and

(8) Mr. F. C. J. Steuart.

SGP-46/7-6719A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

FIRST SESSION—No. 2.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 26th July, 1946, at 2-15 p.m., being the second day of the first session, pursuant to section 62(2) (a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.), was in the chair.

QUESTIONS AND ANSWERS

Medical relief and public health scheme.

20. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state if the Government propose to launch a comprehensive medical relief and public health scheme in Bengal as early as possible with a view to making available to all sections of the rural population of Bengal, the best measures of maintaining health and curing diseases?

MINISTER-in-charge of the DEPARTMENT OF HEALTH and LOCAL SELF-GOVERNMENT (the Hon'ble Khan Bahadur Mohammed Ali): The Bhore Committee has outlined a comprehensive scheme of medical relief and public health and the report of this Committee is now under consideration of this Government in consultation with the Government of India. As an experimental measure, however, it is proposed to give effect to the scheme in the near future in two thanas of the Province, namely, Kaliganj (Dacca) and Polba (Hooghly). The result of the experiment in these two thanas will help this Government in arriving at a decision regarding the comprehensive scheme for the entire province.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please state what he really means by the words "in the near future"? I mean with reference to the expression regarding giving effect to the scheme in the near future in two thanas, namely, Kaliganj and Polba? Will it be in the year 1946?

The Hon'ble Khan Bahadur MOHAMMED ALI: We have framed two pilot schemes and we are very shortly going to introduce these schemes in the two places named by me in my answer, and on the success of those schemes will depend our long-term policy. I may add that the Government of India have convened a Conference at Delhi of all the Provincial Ministers in charge of Public Health to consider the recommendations of the Committee so that a policy on an all-India basis may be outlined by the Government of India. The Conference was due to be held sometime last month, but was postponed to this month. As negotiations were going on at that time for setting up an interim government the Conference could not be held and it is likely to be held towards the end of this month or in the beginning of the next month. On the result of the deliberations of this Conference will depend the success of our policy.

Mr. LALIT CHANDRA DAS: I wanted to know whether effect would be given to the scheme in the year 1946, but in making the long statement above the Hon'ble Minister has repeated the same thing as the answer.

Mr. PRESIDENT: Well, Mr. Das, what is your question?

Mr. LALIT CHANDRA DAS: I have asked the Hon'ble Minister to tell us whether the experimental measure will be adopted in 1946, in respec of Kaliganj and Polba.

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes, practically the scheme has been introduced in these two places.

Mr. HAMIDUL HUQ CHOWDHURY (from a place which was not his seat): Will the Hon'ble Minister—

Mr. PRESIDENT: Mr. Chowdhury, you must speak from your own seat.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I have no definite seat. But this will be my seat.

Mr. PRESIDENT: Will that be your usual seat, then?

Mr. HAMIDUL HUQ CHOWDHURY: Yes.

Mr. PRESIDENT: Very well.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please state what part of the recommendation actually requires experimentation before its success can be assured or assessed?

The Hon'ble Khan Bahadur MOHAMMED ALI: It refers to the combination of medical and public health activities.

Mr. NAGENDRA NATH MOHOLANABISH: What is the plan, very briefly, which the Government are going to adopt as an experimental measure in these two places?

The Hon'ble Khan Bahadur MOHAMMED ALI: The plan briefly is to have health units and these health units will take charge of both public health and medical activities. There will be a medical officer in charge not only of public health activities but also of medical expansion and relief to sufferers; that is to say, a combination of the preventive and curative aspects of the medical science.

Mr. NAGENDRA NATH MOHOLANABISH: Are there any Health Officers in the district board to do all work?

The Hon'ble Khan Bahadur MOHAMMED ALI: The Health Officer is only in charge of the preventive side of the public health.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state the time within which the result of the scheme of medical relief operations under experiment will be achieved? How long the experiment will go on before the result is established?

The Hon'ble Khan Bahadur MOHAMMED ALI: I do not know exactly how long the experimental scheme is in operation; but if the hon'ble member desires to know, I may inform him later on.

Appointment in the Dacca Medical College.

21. Mr. B. K. ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) if recently an advertisement was issued in the *Statesman* for seven appointments to be made in the Dacca Medical College;

(*b*) if it is a fact that four of these posts were reserved for Muslims, two for Scheduled Castes and one for "Non-Muslim"; and

(*c*) if it is not a fact that the Rowlands Committee recommended that highly technical posts should not be filled on a communal basis?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes.

Mr. SULTANUDDIN AHMED: Is the Hon'ble Minister aware that the qualifications required for the post of Muslim candidates has been pitched very high with a view to shut out suitable Muslim candidates from applying for the post?

The Hon'ble Khan Bahadur MOHAMMED ALI: The answer is in the negative.

Mr. SULTANUDDIN AHMED: Will the Hon'ble Minister be pleased to state why the number of Hindu appointments are more than that of the Muslim appointments? Will he say how the number is fixed?

The Hon'ble Khan Bahadur MOHAMMED ALI: The number has been fixed according to the Communal Ratio Rules.

Mr. SULTANUDDIN AHMED: My question has two parts, one is whether Government is aware that the number of Hindu appointments are more than the Muslims and the other is whether the qualification for the post is not in the opinion of Government unnecessarily high in order to prevent the appointment of a suitable Muslim.

The Hon'ble Khan Bahadur MOHAMMED ALI: My answer to the first part is in the negative. With regard to the second part so far as I am aware excepting certain particular posts the qualification required is not pitched very high.

Mr. SULTANUDDIN AHMED: Will the Hon'ble Minister be pleased to state if he is aware that the qualification is fixed according to the Government direction? What is the qualification advertised?

The Hon'ble Khan Bahadur MOHAMMED ALI: I am afraid I cannot say exactly what is the qualification stated in the advertisement. But I saw it before it was sent to the Public Service Commission.

Mr. LALIT CHANDRA DAS: Does the answer cover questions (*a*), (*b*) and (*c*)?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes certainly it does.

Mr. LALIT CHANDRA DAS: Arising out of (*c*), will the Hon'ble Minister be pleased to state why has not the recommendations of the Rowland Committee been accepted by the Government.

The Hon'ble Khan Bahadur MOHAMMED ALI: So far as the highly technical appointments are concerned the recommendations of the Rowland Committee have been accepted and no Communal Ratio Rules are followed, *e.g.*, the post of the Principal Medical College or the Director of the School of Tropical Medicine—I cannot say off-hand which are the other posts—but these are the two posts which are excluded from the Communal Ratio Rules. With regard to ordinary posts, e.g., posts of professorship of Dacca Medical College, these posts we do not consider to be very highly technical posts.

Mr. NAGENDRA NATH MOHOLANABISH: Having regard to the fact that the communal ratio acts prejudicially to the selection of eligible candidates, will the Government consider the advisability of just doing away with the communal ratio?

The Hon'ble Khan Bahadur MOHAMMED ALI: Application of Communal Ratio Rules does not act prejudicially to the appointment of desirable candidates. Government do not accept that view.

Mr. BIRENDRA KISHORE ROY CHOWDHURY: Medical posts are highly technical and so do they not require efficient men?

The Hon'ble Khan Bahadur MOHAMMED ALI: Highly technical posts of medical officers require technical qualification, but professors do not come within the description of highly technical men.

Dr. K. S. ROY: Does not professorship require highly technical experts?

The Hon'ble Khan Bahadur MOHAMMED ALI: Not necessarily. But professors who are recruited direct are excluded from the operation of the Communal Ratio Rules, as I said previously in an answer to a supplementary question.

Dr. K. S. ROY: Are there different classes of professors? Professorships require highly technical men and a man who is not a highly technical expert is not entitled to be a professor.

The Hon'ble Khan Bahadur MOHAMMED ALI: There are different kinds of professorships of non-technical nature and I hope that is known to the renowned and eminent doctor.

Mr. NAGENDRA NATH MOHOLANABISH: Is there any class of doctors who are not highly technical experts?

The Hon'ble Khan Bahadur MOHAMMED ALI: That, Sir, I am afraid, is a matter of opinion.

Development of tank fisheries.

22. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state if he is aware that Mr. Nur Ahmed, M.L.C., submitted some suggestions about development of tank fisheries in his representation to the then Governor, Mr. R. G. Casey?

(*b*) Is it a fact that the District Fisheries Officer of Chittagong was asked by the Government to report on these suggestions?

(*c*) Is it a fact that the District Fisheries Officer of Chittagong has in his report suggested a very feasible scheme for development of tank, estuarine, and river fisheries in Chittagong?

(*d*) If so, do the Government propose to take any early action on these suggestions? If so, what are they?

MINISTER in charge of the DEPARTMENT of AGRICULTURE, FORESTS and FISHERIES (the Hon'ble Mr. Ahmed Hossain): (*a*) Yes.

(*b*) A report from the District Fisheries Officer, Chittagong, was obtained by the Director of Fisheries, Bengal.

(*c*) The following suggestions were made by the District Fisheries Officer:—

(*i*) Provision of loans to persons anxious to promote fish culture.

(*ii*) Establishment of nurseries and demonstration farms.

(*iii*) Paddy-*cum*-fish culture in estuarine areas.

(*iv*) Provision of two motor launches for quick transport of fish.

(*v*) Establishment of a fish curing yard and shark fishing centre.

(*d*) (*i*) The matter is under consideration of Government.

(*ii*) Departmental Nurseries were established in the district during 1945 from which fry was sold at cheap rate to private individuals. Similar nursery units have been started this year also.

(*iii*) Certain experiments are in progress in the Sunderban *abad* area, and on their success will depend the extension of similar experiments elsewhere in the Province.

(*iv*) Requests from private parties will be favourably considered.

(*v*) Preliminary investigations and survey of the Chittagong coast have already been made. It is expected that a fish curing yard will be started by the next winter, but this will depend on the availability of staff.

I may further add that Government are examining the possibilities of shark fishing off the Chittagong coast.

Establishment of Credit Agricole in Bengal.

23. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state whether the Government of Bengal intends to establish any Credit Agricole in Bengal with a view to purchasing seeds, manure, etc., for selling them to the cultivators from each centre both on cash and credit basis?

(*b*) If not, why not?

The Hon'ble Mr. AHMED HOSSAIN: (*a*) No.

(*b*) The Department of Co-operation, Credit and Relief have under consideration a scheme for the reorganisation of the Provincial Co-operative Bank as an Agricultural Credit Bank with branches at district headquarters, sub-branches at important subdivisional headquarters and pay offices at places of importance from the co-operative point of view. It is proposed in the scheme that, whenever feasible and convenient, loans for seeds and manures should be issued to agricultural co-operative societies in kind or in the form of delivery orders on the seed and manure depots of the Agricultural Directorate. One of the Development Schemes of the Department of Agriculture, Forest and Fisheries provides for the establishment of such depots at each thana headquarters of the Province. The scheme is already in operation, and it is hoped that by the end of 1946-47, 226 such depots will be functioning. Their number will be gradually increased in succeeding years, so as to have one such depot at each thana before the end of the year 1950-51. These two schemes between them will adequately fulfil the objective of "Credit Agricole".

Establishment of Land Utilisation Department in Bengal.

24. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state if the Government desire to establish a Land Utilisation Department in Bengal principally for the following purposes:—

(*i*) classification of all sorts of land for maximum yield;

(*ii*) to draw up a programme of land improvement;

(*iii*) to compel the owners of land to give full effect to such programme of land improvement; and

(*iv*) for similar other purposes?

(*b*) If not, why not?

The Hon'ble Mr. AHMED HOSSAIN: (*a*) No.

(*b*) The functions proposed for the land Utilisation Department will overlap the functions of the existing Directorates of Agriculture and Forests. The creation of such a new department will, therefore, create confusion and be a hindrance, rather than a help, to the smooth working of the existing Directorates. Co-ordination between the two Directorates in matters relating to utilisation of land is secured by a technical committee already in existence.

Decrease in the number of cattle in Bengal.

25. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state whether it is a fact that the number of cattle in Bengal has much diminished during the last Bengal famine of 1943?

(*b*) If so, what is the percentage of such decrease in cattle in Bengal?

(*c*) Is it a fact that cultivation of land is handicapped for want of plough-cattle in Bengal?

(*d*) What measures have been taken and will be taken by the Government of Bengal to improve the condition of cattle and also to make up deficiency in number of plough-cattle?

The Hon'ble Mr. AHMED HOSSAIN: (*a*) and (*b*) No estimate is available of cattle mortality during the famine of 1943. It will, however, be observed from a statement, placed on the Table, of the cattle census figures of 1940 and 1945, that the total cattle population of the Province has decreased by a little over 5 per cent. between 1940 and 1945.

(*c*) Although the census of 1945 shows that the number of working bullocks in the Province increased by about 11,000 during the five years ending 1945, it is a fact that owing to the cessation of imports of plough-cattle from other Provinces, price has gone up and cultivators are experiencing difficulty in buying suitable plough-cattle. In some areas cultivators were handicapped for want of plough-cattle.

(*d*) Government have already promulgated the Bengal Meat Control Order, 1944, and the Bengal Cattle (Slaughter) Control Order, 1945, to conserve the cattle resources of the Province. They have also made every effort to secure import quotas of plough-cattle from Bihar and milk cattle from other Provinces by negotiations with the Governments concerned.

In order to improve the breed of cattle, a large number of stud-bulls has been imported from the Punjab and distributed among different centres in the Province. Further two schemes included in the Post-War Development Plan of Bengal for the improvement of livestock industry in the Province have been sanctioned. The first one relates to the establishment of a Central Livestock Breeding and Research Station for the breeding of high grade bulls, and for carrying out basic research into all matters affecting the livestock and dairy industries. The second scheme aims at improving the condition of cattle by controlled breeding, and scientific management of stock.

Statement referred to in reply to Question No. 25.

NUMBER OF CATTLE IN BENGAL ACCORDING TO THE LIVE-STOCK CENSUS OF 1940 AND 1945.

	1940.	1945.	Increase/decrease.
A. Males.			
1. Breeding bulls, *i.e.*, males over 3 years kept or used for breeding purposes only.	197,990	208,663	+10,673
2. Working bullocks, *i.e.*, bullocks and uncastrated males over 3 years kept for work only.	7,448,891	7,460,369	+11,478
3. Bulls and bullocks over 3 years not in use for breeding or work.	652,444	635,025	−17,419
4. Total males over 3 years	8,299,325	8,304,057	+4,732
B. Females.			
1. Breeding cows, *i.e.*, cows over 3 years kept for breeding or milk production—			
(*a*) In milk	3,257,865	2,753,393	−504,472
(*b*) Dry	2,518,642	2,247,031	−271,611
(*c*) Not calved	1,698,766	1,621,064	−77,702
2. Cows over 3 years used for work only ..	855,912	949,503	+93,591
3. Cows over 3 years not in use for work and breeding purposes.	287,270	302,612	+15,342
4. Total females over 3 years ..	8,618,455	7,873,603	−744,852
C. Young stock.			
1. Under one year—			
(*a*) Male . ..	1,571,720	1,518,510	−53,210
(*b*) Female	1,489,737	1,367,149	−122,588
2. 1 to 3 years of age—			
(*a*) Male	1,280,144	1,151,871	−128,273
(*b*) Female	1,363,986	1,191,180	−172,806
Total young stock	5,705,587	5,228,710	−476,877
Total cattle	22,623,367	21,406,370	−1,216,997

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state what was the procedure followed in taking the cattle census? Through what agency?

The Hon'ble Mr. AHMED HOSSAIN: It was done through the Union Board clerks and the Jute Regulation staff.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state whether he considers the figures for cattle given in the statement to be absolutely correct?

The Hon'ble Mr. AHMED HOSSAIN: They are taken to be correct by the Government.

Mr. HAMIDUL HUQ CHOWDHURY: What period of time has been taken in taking this census?

The Hon'ble Mr. AHMED HOSSAIN: As I have said, a quinquennium.

Mr. HAMIDUL HUQ CHOWDHURY: No, I asked what period of time is taken in taking the census?

The Hon'ble Mr. AHMED HOSSAIN: In that case I want notice.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that no scientific method of taking such census throughout the province of Bengal has been adopted?

The Hon'ble Mr. AHMED HOSSAIN: I am not aware.

Mr. HAMIDUL HUQ CHOWDHURY: Is he aware if every cattle is accounted for in the accounting that has been just given?

The Hon'ble Mr. AHMED HOSSAIN: Yes.

Acquisition of the Calcutta Tramways Company, Limited, by the Calcutta Corporation.

26. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) if he is aware that the Corporation of Calcutta represented to the Local Government the necessity of taking proper steps for amending relevant sections of the Calcutta Municipal Act, 1923, enabling them to raise the necessary loans for the purpose of acquiring and taking over the Calcutta Tramways Co., Ltd., as a going concern.

(*b*) if the answer to part (*a*) is in the affirmative, what are the reasons for not acceding to the request of the premier self-governing institution of Bengal in this connection; and

(*c*) in the circumstances whether Government consider the advisability of reconsidering the matter and taking steps for effecting the necessary amendments to the Act in question at an early date; if not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI: (*a*) Yes.

(*b*) and (*c*) Government acceded to the request of the Corporation of Calcutta and made a provision in the Calcutta Municipal (Amendment) Bill, 1940, introduced in the Assembly on the 4th September, 1940. The Bill was declared to have lapsed.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister please state the reason why the Bill lapsed?

The Hon'ble Khan Bahadur MOHAMMED ALI: The Bill was referred to a Select Committee and at the stage when the Select Committee was deliberating on the provisions of the Bill, somehow—I am not very sure why—the Hon'ble Speaker declared that the Bill had lapsed.

Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister please state if he proposes to introduce a Bill amending the Calcutta Municipal Act?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes, I propose to introduce another Bill to amend the existing Calcutta Municipal Act but the provision that was included in the previous Bill may not be included in the proposed amending Bill.

Official Trustee and Administrator-General of Bengal.

27. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Judicial and Legislative Departments be pleased to state—

(*a*) if he is aware that the Official Trustee and Administrator-General of Bengal under special Acts of Legislature administer the estates offered voluntarily or as executors of deceased testators, situated in India, and now especially in Bengal;

(*b*) if he is aware that in large majority of cases the administration is carried on in consultation with or in accordance with the wishes and instructions of the proprietors or the beneficiaries of the estates concerned, specially where *debaseba* and charities are provided for;

(*c*) if he is aware that from the financial point of view the office of the Official Trustee and Administrator-General is at present self-supported;

(*d*) if it is a fact that the Government is liable to meet the deficit when a good number of estates are taken away or new estates do not flow in;

(*e*) if he will lay on the Table a statement showing the number of estates belonging to (*i*) the Europeans, (*ii*) the Muhammadans, and (*iii*) the Hindus and the valuation of their assets respectively;

(*f*) if he is aware that the Deputy Official Trustee and Administrator-General has tendered his resignation necessitating the appointment of an officer in his place;

(*g*) if it is a fact that an Indian officer for the first time is going to be appointed to the post temporarily till a European officer is available; and

(*h*) if the answer to part (*g*) is in the affirmative, whether Government consider the advisability of appointing a competent officer from that community of proprietors who happen to be the owners of the majority of the estates; if not, why not?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENTS (the Hon'ble Mr. Jogendra Nath Mandal): (*a*) The Administrator-General of Bengal administers estates of deceased persons both as in case of intestacy and when there are wills left as the executor appointed of such will under the provisions of his Act (viz., sections 9, 10, 11, 14 and 25). The Official Trustee of Bengal administers estates of deceased persons where he has been appointed the sole executor and trustee under a will. He also acts as trustee of trusts created by voluntary settlements, deeds of transfer and under Orders of the High Court.

(*b*) As provided by rules 3 and 4 of the Rules framed under the Administrator-General's Act, the Administrator-General generally consults beneficiaries prior to undertaking the administration of estates in case of intestacy and ascertains their wishes regarding the disposal of assets of estates under his administration. Where religious and charitable trusts are created under a will, a deed or settlement, the Administrator-General or the Official Trustee, as the case may be, deals with such trusts in accordance with the directions contained in the relevant will or trust deed. The wishes and instructions of the settlers or beneficiaries of estates and trusts are considered and given effect to as far as possible in the matter of administration of estates and trusts.

(*c*), (*d*), and (*f*) Yes.

(*e*) The aggregate number of estates and trusts belonging to the Europeans, Muhammadans and Hindus is roughly as follows:—

	European.	Hindu.	Muslim.
Estates in charge of the Administrator-General ..	490	244	6
Trusts in charge of the Official Trustee ..	1,000	370	36

It is difficult to give an accurate valuation of the assets of the estates and trusts belonging to Europeans, Hindus and Muslims. An idea will, however, be formed from a survey of the position of the total assets under the heads of Government securities, shares, cash, house properties and zemindaries as enumerated below:—

	Stock.	Shares.	Securities.	Cash.	House properties.	Zemindaries.
			Rs.	Rs.		Rs.
Administrator-General.						
European Estates (inclusive of subsidiary accounts) ..	£36-6-0	26,397⅛	54,05,765	9,75,133	34	7,44,740
Hindu Estates (inclusive of subsidiary accounts) ..	Nil	7,014	79,17,535	3,83,557	92	8,70,365
Muslim Estates (inclusive of subsidiary accounts) ..	Nil	Nil	28,700	2,432	Nil	Nil
Official Trustee.						
European Trusts (inclusive of subsidiary accounts) ..	£1,27,308	69,410	3,74,83,920	13,45,955	98	10,23,203
Hindu Trusts (inclusive of subsidiary accounts) ..	Nil	247,141	1,42,33,030	8,72,139	136	43,200
Muslim Trusts (inclusive of subsidiary accounts) ..	£19,985	531	2,59,880	5,459	13	Nil

(*g*) Mr. Bhuban Mohan Mandal, Barrister-at-Law, has, on the recommendation of the Public Service Commission, Bengal, been appointed substantively to the post of the Deputy Administrator-General and Official Trustee, Bengal.

(*h*) Does not arise.

Corruption in Government offices.

28. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state if the attention of the Government of Bengal has been drawn to the remarks of the Rowlands Enquiry Committee better known as Bengal Administration Enquiry Committee in their report regarding wide prevalence of corruption in all branches of public administration, especially in the Civil Supply Department?

(*b*) If so, what are the special measures that the Government of Bengal intend to adopt to check and eliminate all corruptions from all branches of public administration in Bengal?

(*c*) If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Chief Minister's Department): (*a*) Yes.

(*b*) In pursuance of the recommendation contained in paragraph 228(*i*) of the Report only a small number of officers have been selected who are

authorised to issue permits and detailed instructions have been issued concerning the eligibility of candidates for receiving permits. A confidential circular covering the points mentioned in sub-paragraphs (*ii*), (*iii*) and (*iv*) of paragraph 228 have been issued to all concerned and orders giving effect to the recommendation contained in paragraph 228(*v*) have also been issued.

The Government of India were requested to enact legislation on the lines of the recommendations contained in paragraphs 229-31 of the Report and the matter is presumably under their consideration in consultation with the Provincial Governments. As an *ad interim* measure, the Government of India have promulgated Ordinance VI of 1946.

The various service associations were addressed on the subject of restoration of the traditions of the public service mentioned in paragraph 233 and constructive suggestions were invited. The suggestions which have been received are under examination.

(*c*) Does not arise.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state what results have been obtained from the instructions already issued by the Government?

The Hon'ble Khan Bahadur MOHAMMED ALI: The position has improved greatly.

Mr. HAMIDUL HUQ CHOWDHURY: Is the corruption increasing?

The Hon'ble Khan Bahadur MOHAMMED ALI: It is decreasing.

Mr. NAGENDRA NATH MOHOLANABISH: What is the source of information?

The Hon'ble Khan Bahadur MOHAMMED ALI: The source is the Development Board of Government.

Creation of Provincial Planning Commission and Bureau of Economic Statistics.

29. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state if the Government of Bengal contemplate to create a Provincial Planning Commission and a new type of service to be called Planning and Development Service and a Provincial Bureau of Economic Statistics in order to carry out the Post-War Reconstruction Plan and Schemes in Bengal?

(*b*) If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Chief Minister's Department): The honourable member is referred to the recommendations contained in paragraphs 47 to 57 and 62 to 81 of the Report of the Bengal Administration Enquiry Committee, 1944-45, a copy of which is placed in the Library. According to these recommendations the work of development is to be carried on by the several Nation Building Departments and co-ordinated at the Centre by the Cabinet Committee of Development and Development Board and at the districts by the District Officers with the advice and assistance of local technical officers belonging to different departments. The present set-up of the development Organisation in this Province is based on these recommendations. It is, therefore, not considered now necessary to create a Provincial Planning Commission or a new Planning and Development Service. It is intended to build up the Provincial Statistical Bureau under the Finance Department and it is not considered necessary to have a separate Provincial Bureau of Economic Statistics attached to the Development Office of the Chief Minister's Department.

Mr. HAMIDUL HUQ CHOWDHURY: Have the Government accepted the Rowland Committee's report as a whole?

The Hon'ble Khan Bahadur MOHAMMED ALI: No, Sir.

Mr. BIREN ROY: Will the Hon'ble Minister be pleased to state which of the District Officers will take up this work with the assistance and advice of local technical officers belonging to other departments?

The Hon'ble Khan Bahadur MOHAMMED ALI: If the honourable member will read the reply he will find that that is the recommendation of the Rowland Committee.

Mr. BIREN ROY: Has that been accepted?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes.

Mr. HAMIDUL HUQ CHOWDHURY: Which part of the recommendation has been accepted by Government?

The Hon'ble Khan Bahadur MOHAMMED ALI: The creation of the Development Board.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state whether Government have accepted the entire or a part of the recommendations of the Rowland Committee?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice as I have not got full information. The answer to this may be given later by the Chief Minister if he considers it desirable——

Mr. HAMIDUL HUQ CHOWDHURY: Sir, it is the privilege of the House that members should get answers to their questions. Moreover, I submit that the members are entitled to have a copy of the recommendations of the Rowland Committee. Because this question raises a very important principle and we want to know how far this Ministry has committed themselves as well as the future Government to accept the recommendations of the Post-War Reconstruction Plan of that Report?

The Hon'ble Khan Mahadur MOHAMMED ALI: This matter will receive the most earnest consideration of the Government.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please state if the Government has accepted that portion of the recommendation which relates to the partition of big districts?

The Hon'ble Khan Bahadur MOHAMMED ALI: I wonder how that question arises.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please state what is the constitution of the proposed Development Board?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice.

Mr. HUMAYUN KABIR: Without any further supplementary question will the Hon'ble Minister please state whether Government have made up their mind as to the proposed constitution of the Development Board?

The Hon'ble Khan Bahadur MOHAMMED ALI: There is already a Development Board functioning in the districts.

Mr. HUMAYUN KABIR: May we know the composition of the Board?

The Hon'ble Khan Bahadur MOHAMMED ALI: It will be through election and the matter will come before the House.

Mr. HAMIDUL HUQ CHOWDHURY: May we have the full report in regard to the scheme?

The Hon'ble Khan Bahadur MOHAMMED ALI: Government will consider this question.

Mr. HUMAYUN KABIR: When was this Development Board formed?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister ask for notice on every question about which notice has already been given?

The Hon'ble Khan Bahaddr MOHAMMED ALI: Notice has not been given on that point.

Manufacture of multi-vitamin tablets.

30. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state whether the Government of Bengal have drawn up any scheme for the manufacture of multi-vitamin tablets, now imported from abroad by the Central Government to make up for the food deficiency in Bengal?

(*b*) If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI: There is no scheme at present for the manufacture of multi-vitamin tablets in this Province. The suggestion contained in the question is, however, being noted and will be considered by the Government.

Bengal Food Crops Production Control Order, 1944.

31. Mr. T. B. NIMMO: Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state—

(*a*) on what areas and from what dates the Bengal Food Crops Production Control Order, 1944, has been brought into force;

(*b*) whether lists of waste lands and arable lands not under cultivation have been published in terms of the said Order; and

(*c*) what area of waste lands and arable lands not under cultivation has been brought under food and fodder crops as a result of the said Order?

The Hon'ble Mr. AHMED HOSSAIN: (*a*) The Bengal Food Crops Production Control Order, 1944, was not brought into force in any area of Bengal.

(*b*) and (*c*) Do not arise.

Mr. T. B. NIMMO: Will the Hon'ble Minister be pleased to state why this Control Order has not been brought into force?

The Hon'ble Mr. AHMED HOSSAIN: It is under the examination of Government.

Mr. T. B. NIMMO: Will the Hon'ble Minister be pleased to say if it is a fact that there are large areas of uncultivated land in Bengal? If so, whether Government will take steps to bring all those plots under cultivation?

The Hon'ble Mr. AHMED HOSSAIN: Government will take the matter into consideration.

Mr. HAMIDUL HUQ CHOWDHURY: What are the terms of this Bengal Food Crops Production Control Order, 1944?

The Hon'ble Mr. AHMED HOSSAIN: It is difficult to say what the Order contains.

Mr. BIREN ROY: The Control Order dates as far back as 1944. Two years have already elapsed. How long Government will take to bring it into force?

The Hon'ble Mr. AHMED HOSSAIN: The new Ministry has come into office recently and they are examining the matter.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister please state why this Bengal Food Production Control Order, 1944, was at all promulgated if it was not intended to be brought into force?

The Hon'ble Mr. AHMED HOSSAIN: Will the honourable member please repeat his question?

Mr. HUMAYUN KABIR: My question was—Will the Hon'ble Minister be pleased to state why this particular Order was at all promulgated if the Government have not found it possible to bring it into force even though more than two years have elapsed?

The Hon'ble Mr. AHMED HOSSAIN: Government do not say that it is impossible to bring it into force. The new Government is examining it.

Mr. HUMAYUN KABIR: Are we to take it from the Hon'ble Minister that the examination of the last two years has so far produced no results at all?

The Hon'ble Mr. AHMED HOSSAIN: I have nothing further to add.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister give us some indication as to how long it will take the present Government to make up their mind one way or the other with regard to this particular Order?

The Hon'ble Mr. AHMED HOSSAIN: As a matter of fact this Control Order is going to cease on the 30th of September. So——

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state whether Government will bring in legislation incorporating the provisions of this Order?

(No reply.)

Mr. NAGENDRA NATH MOHOLANABISH: Will the Hon'ble Minister be pleased to state why, after the promulgation of that Order, it was not so long brought into force and, if he has very recently come into power, whether he has been able to ascertain from Government records as to the reasons for this inordinate delay?

The Hon'ble Mr. AHMED HOSSAIN: I have already answered and I have nothing further to add.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to give us any indication as to what proposals, if any, Government have made for the preparation and introduction of any Bill on the lines of the principles laid down in the said Bengal Food Crops Production Control Order, 1944.

The Hon'ble Mr. AHMED HOSSAIN: Will the honourable member kindly repeat his question?

Mr. HUMAYUN KABIR: The Hon'ble Minister said some time ago that it was under examination and my question is, will he be pleased to give some indication to this House as to what measures they propose to adopt, whether in the form of any Bill or in any other manner, in order to carry out the principles which were embodied in this Control Order of 1944?

The Hon'ble Mr. AHMED HOSSAIN: Government are examining the Control Order and, if it is feasible to enforce the provisions of the Control Order, Government will bring in legislation accordingly.

Mr. HUMAYUN KABIR: We have been told that the Government are examining it. Will they give us some indication as to the lines on which the Government want to proceed. The Hon'ble Minister has just now told us that he is examining whether it is feasible at all. Are we to take it that, in his opinion, the Bengal Food Crops Production Control Order was not a feasible proposition and the whole thing was a huge joke?

The Hon'ble Mr. AHMED HOSSAIN: I have nothing more to add.

Emoluments and other facilities to the employees of the Chemical Industries in Calcutta Industrial areas.

32. **Mr. HUMAYUN KABIR:** Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state if any records are maintained about—

(*a*) the number of employees;

(*b*) the amount of monthly dearness and ration allowance;

(*c*) the initial pay and grade with rates of increment;

(*d*) cheap canteen; and

(*e*) other labour welfare systems of the companies engaged in chemical industry in the Calcutta Industrial areas?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Department of Commerce, Labour and Industries): Yes. Information on all the points was obtained in 1944 during the survey of the chemical industry made by the Labour Commissioner's statistics staff and this information has been kept up to date.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to give some indication to this House as to what that information is?

The Hon'ble Khan Bahadur MOHAMMED ALI: Unfortunately the provisions of the Act (Act XIX of 1942) of the Central Government, *i.e.*, section 9 thereof, prohibit the giving out of any information collected under that Act.

Arrest of Mr. Sudhir Ranjan Buxi.

33. **Mr. NAGENDRA NATH MOHALANOBISH:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) under what law or section Mr. Sudhir Ranjan Buxi, brother of Sj. Satya Ranjan Buxi, was arrested on the 12th September, 1944, in Barisal;

(*b*) where Mr. Buxi is now detained;

(*c*) what is his present state of health;

(*d*) whether it is a fact that his relatives are not getting any information whatsoever since his arrest; and

(*e*) whether any information has been given to Calcutta Corporation where he was an employee?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Chief Minister's Department): (*a*) He was arrested under Defence of India Rule 129.

(*b*) to (*e*) As he has since been released these do not arise.

Cases of Yellow fever in Bengal.

34. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) if there have been any cases of Yellow fever in Bengal during the last six months;

(*b*) if so, how many; and

(*c*) what precaution the Government of Bengal have taken against Yellow fever attack?

The Hon'ble Khan Bahadur MOHAMMED ALI: (*a*) No case of Yellow fever within the period stated has been reported.

(*b*) and (*c*) Do not arise.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister please state if any cases have been reported just previously to the period mentioned?

The Hon'ble Khan Bahadur MOHAMMED ALI: No.

Study of social science for women.

35. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the Government of Bengal propose to include in the curriculum of all the Government and aided educational institutions of Bengal the study of social science for women in all its stages of education with particular emphasis on practical works?

(*b*) If not, why not?

(*c*) Do the Government propose to recommend to the Calcutta and Dacca Universities to include in their curriculum such study of social science?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) If by "Social Science" is meant "Domestic Science", then subjects like needlework, cookery, music and hygiene are included in the existing curriculum for girls' schools, and domestic science is a subject for girls for the Matriculation Examination. If "Social Science" is taken to mean the science of human society and its problems, then "civics" is a subject for girls as well as boys in schools and colleges.

(*b*) and (*c*) Do not arise.

Mr. HUMAYUN KABIR: Since hypothetical questions are not allowed are hypothetical answers allowed?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: This has had to be done because the question was not clear.

Disafforestation of the Reserve Forest in Chittagong.

36. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state if it is a fact that the Committee appointed by the Government of Bengal to consider the question of disafforestation of a part of the reserve forest in the district of Chittagong for colonisation purpose on a co-operative basis like the Badarkhali-Ghona has submitted its report long ago?

(*b*) Is it a fact that the committee appointed by the Government to go into the question of utilisation of land for grazing and cultivation purposes in the reserve forest of Chittagong has also submitted its report long ago?

(*c*) When were both the reports submitted to Government by the committees?

(*d*) Have the Government of Bengal taken any steps in accordance with the recommendations of these two committees? If not, why not?

(*e*) Do the Government propose to use and utilise cultivable areas in the reserve forests in Bengal especially in Chittagong, for "Grow More Food Campaign"?

The Hon'ble Mr. AHMED HOSSAIN: (*a*) and (*b*) Yes.

(*c*) In February, 1942, and April, 1942, respectively.

(*d*) No steps could be taken for giving effect to the recommendations of the committees as the area in question fell within the active war zone shortly after the reports were received. The matter is now being reviewed in connection with the long-term policy regarding land utilisation in general.

(*e*) Yes, as far as practicable, with due regard to the needs of forestry.

Ban on the Forward Bloc.

37. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether there is a ban imposed by the Bengal Government on the "Forward Bloc" organisation in Bengal? When was it first imposed and why?

(*b*) Do the Government propose to remove the ban on the "Forward Bloc" organisation in Bengal immediately? If not, will the Hon'ble Minister be pleased to state the grounds for refusal to remove the ban?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Home Department, the Hon'ble Mr. H. S. Suhrawardy): (*a*) No ban was imposed by the Bengal Government on the "Forward Bloc".

(*b*) Does not arise.

Mr. LALIT CHANDRA DAS: Was any ban imposed by the Government of India?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes, Sir, the ban was imposed by the Government of India.

Mr. LALIT CHANDRA DAS: Is it a fact that the Hon'ble the Chief Minister gave an undertaking the other day, some two or three days ago, to the demonstrators in this compound, that the ban would be withdrawn very shortly?

The Hon'ble Khan Bahadur MOHAMMED ALI: I am not aware what undertaking, if any, the Hon'ble the Chief Minister gave to the demonstrators. If the honourable member thinks that the Chief Minister gave an undertaking he will certainly deal with the matter.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please state if the Government of Bengal will move the Government of India to withdraw the ban over the Forward Bloc?

The Hon'ble Khan Bahadur MOHAMMED ALI: The request of the honourable member will be conveyed to the Hon'ble Chief Minister on his return from Bombay. I am afraid, I cannot make any commitment on his behalf.

Lands brought under cultivation for production of food crops since 1943.

38. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state—

(*a*) what is the total area of cultivated lands and what is the total area of cultivable but uncultivated lands in Bengal;

(*b*) what area of cultivable lands has been brought under cultivati for production of food crops since 1943 up till now;

(*c*) of the cultivated lands, how much is under jute and how much und paddy;

(*d*) what steps the Government are taking to make Bengal self-sufficie in the matter of food-supply;

(*e*) whether the Government propose to reduce the area under jute to tl minimum and reduce it to half of the current year from ne sowing season;

(*f*) if not, what are the grounds for such refusal; and

(*g*) what active steps the Government have so far adopted in the "Gro More Food" campaign to increase the cultivation of the cultivabl lands; if they have any plan for any fixed period, say, five year to carry it through; if not, why not?

The Hon'ble Mr. AHMED HOSSAIN: (*a*) Total area of cultivated lan during 1945-46 was 28,360,500 acres and that of cultivable but uncultivate land was 3,159,880 acres, of which about 6 lakhs of acres are known to b uncultivable, and the rest believed to be cultivable.

(*b*) No definite information is available. Total areas cultivated wit food crops, including the areas cropped more than once since 1943, are a follows:—

			Acres.	
1943-44	..	..	31,671,900	
1944-45	..	..	34,446,800	
1945-46	..	..	31,343,100	(Fall in acreage due primaril to drought and also to th want of draft animals.)

(*c*) In 1945-46 the area under jute was 2,017,710 acres and under paddy was 26,685,000 acres.

(*d*) Attention of the hon'ble member is invited to the Press handout issued on the subject on the 18th March, 1946, and on the 12th July, 1946 copies of which are placed in the Library.

(*e*) Jute acreage is regulated in accordance with the provisions of the Bengal Jute Regulation Act, 1940, under which it is obligatory for Government to consult the Jute Regulation Advisory Board constituted under section 8 of the aforesaid Act before prescribing the acreage in any particular year. Government cannot at this stage prejudge the recommendation of the Advisory Board for the next year.

(*f*) Does not arise.

(*g*) The honourable member is referred to the reply to the question (*d*).

Mr. HUMAYUN KABIR: Arising out of answer (*a*), will the Hon'ble Minister please state if it is a fact that Government have no information about the 2½ millions of acres of land which is believed to be cultivable, but about which Government have no definite knowledge?

The Hon'ble Mr. AHMED HOSSAIN: Will the honourable member kindly repeat?

Mr. HUMAYUN KABIR: Here in part (*a*) the answer says "total area of cultivated land during 1945-46 was 28,360,500 acres and that of cultivable but uncultivated land was 3,159,880 acres of which about 6 lakhs of acres are known, and the rest believed to be cultivable". Now is it only a "belief" of the Government or do they have any definite information about these 3,159,880 acres of land?

The Hon'ble Mr. AHMED HOSSAIN: Government think that the land mentioned can be brought under cultivation.

Mr. HUMAYUN KABIR: Sir, it is stated in the question that "it is believed to be cultivable": so it follows that Government have no definite information about it. Now, in view of the food shortage was it not the duty of the Government to ascertain definitely whether the land referred to, is cultivable and, if so, what steps the Government have taken to bring that into cultivation?

The Hon'ble Mr. AHMED HOSSAIN: Government think that these lands are cultivable. It is not believed to be cultivable.

Mr. HUMAYUN KABIR: Sir, I want to know from the Hon'ble Minister whether this land is actually cultivable?

The Hon'ble Mr. AHMED HOSSAIN: According to the report of the Survey——

Mr. HUMAYUN KABIR: Sir, I want a categorical and definite answer whether these 3½ million acres of land are cultivable.

The Hon'ble Mr. AHMED HOSSAIN: Yes, it is known to be cultivable.

Mr. PRESIDENT: Then you substitute "known" for the word "believed" in the printed question?

The Hon'ble Mr. AHMED HOSSAIN: Yes, Sir.

Mr. HUMAYUN KABIR: Sir, there is a discrepancy between answers (*a*) and (*b*). It is stated in (*a*) that the total area of cultivated land during 1945-46 was 28,360,500 acres but it is stated in (*b*) that the total area cultivated with food crops, including the area cropped more than once in 1945-46 is 31,343,100. Will the Hon'ble Minister be pleased to state what is the mathematics behind it? The area of cultivation of food crops has been shown larger than the total area of cultivation.

The Hon'ble Mr. AHMED HOSSAIN: I want notice.

Mr. HUMAYUN KABIR: I take it, Sir, that the Hon'ble Minister does not know the position. It is the privilege of the House that when members want information Government should supply information. But it is an infringement of the dignity and privilege of the House if this sort of answer is forthcoming. It shows that Government stand condemned in the eyes of every one if they come forward with this kind of false information which is not worth the paper on which it is written——

The Hon'ble Khan Bahadur MOHAMMED ALI: How does the question of false information come in?

Mr. HUMAYUN KABIR: Answers may be incomplete and inadequate and sometimes they may be inaccurate but it is disgraceful if this sort of false answers are given——

The Hon'ble Mr. AHMED HOSSAIN: The reason of the discrepancy may be that the land was cultivated twice and there might be two crops.

Mr. PRESIDENT: Next question. The Hon'ble Mr. Shamsuddin Ahmed.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, as the Hon'ble Minister is not here may I request you to hold up this question. I have not received the file nor am I acquainted with the matter.

Mr. PRESIDENT: The Hon'ble Minister should have been in the House. It is the duty of the Hon'ble Minister who is to answer a question to be present or make arrangements with his colleagues for the question being replied.

The Hon'ble Khan Bahadur MOHAMMED ALI: I apologize to you, Sir, on his behalf. This question may be answered tomorrow.

Mr. PRESIDENT: All right next day.

Adjournment motion.

Mr. HARIDAS MAZUMDAR: Sir, I have got an adjournment motion.

Mr. PRESIDENT: I have got notice of an adjournment motion from Mr. Haridas Madumdar which runs as follows:

"This Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the grave situation that has arisen in the country under its altered circumstances for not releasing the political prisoners of the province."

I have not yet made up my mind as to whether I shall give my consent to it or not. Before I do this I want to be clear on one point. Mr. Mazumdar, what do you mean by "altered circumstances"?

Mr. HARIDAS MAZUMDAR: "Altered circumstances" need not require any explanation at all. However, I am putting it before the House.

Mr. PRESIDENT: It does require an explanation, because I have to make up my mind.

Mr. HARIDAS MAZUMDAR: Sir, the Constituent Assembly has been formed and they are going to sit very soon and the declaration of independence of the country is forthcoming. In these circumstances these political prisoners who have practically fought for the independence of our country, who have sacrificed so much, should not be behind the prison bars. They ought to be set free. Other provinces and the Congress provinces have already done so. I want a statement from the Hon'ble the Home Minister and if I am satisfied with the statement I shall feel glad to withdraw my motion. Otherwise I shall have no other alternative but to press it.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, the honourable member has tried to define the "altered circumstances". But even according to his definition the circumstances have not yet altered. The reasons which he attributes to the moving of his motion are not justified.

Mr. PRESIDENT: I am afraid, I do not accept the view of the Hon'ble Minister. I am therefore inclined to give my consent to this adjournment motion, but I would suggest to Mr. Haridas Mazumdar whether he is not prepared not to press this motion in view of the fact that the entire question regarding release of political prisoners may be raised in course of the Budget discussion.

Mr. HARIDAS MAZUMDAR: No, Sir, it is a very important question and I hope you would allow me to move my motion.

Mr. PRESIDENT: My point was that the whole question might be thoroughly discussed at the time of the Budget discussion. Of course it is a mere suggestion.

Mr. HUMAYUN KABIR: Sir, there is one difference between the Budget discussion in this House and in the other House. The other House can express an opinion effectively on the Budget. But unfortunately in our House we only discuss the Budget and cannot express any effective opinion upon it. Therefore, if it is the desire of this House to express an effective opinion on it, there is no other method open to us except by way of a motion or an adjournment motion and in that view, Sir, I hope that you will hold that motions of this nature in this House should be permitted through adjournment motions and not through a general discussion of the budget.

Mr. PRESIDENT: I am not proposing that you should not move an adjournment motion but I only suggest that the question proposed to be raised in this motion might be discussed at the time of the general discussion of the Budget. In any case I give my consent to the motion. The motion runs as follows:—

"That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the grave situation that has arisen in the country under its altered circumstances for not releasing the political prisoners of the Province."

Is there any objection?

The Hon'ble Khan Bahadur MOHAMMED ALI: I have no objection to the actual discussion but the honourable member said some time ago that if a statement were made from the Government side he might not press his adjournment motion.

Mr. PRESIDENT: That is for the mover to decide later on.

Mr. HARIDAS MAZUMDAR: What I said or meant was that in course of the discussion on this motion there will be a statement made from the Government side and if that statement were satisfactory I might not press for voting on the motion or I might even withdraw the motion.

Mr. HAMIDUL HUQ CHOWDHURY: In my opinion, Sir, it is not urgent in this sense that——

Mr. PRESIDENT: Well, are you objecting to the arjournment motion, whatever be the reasons for such objection?

Mr. HAMIDUL HUQ CHOWDHURY: Yes, Sir.

Mr. PRESIDENT: Order, order, those honourable members who are in favour of the motion will please rise in their seats.

(The members stood and their number counted.)

Mr. PRESIDENT: As more than 13 members have supported the motion, the honourable member has the leave of House to move it and it will be taken up after the question hour on Monday. Ordinarily a discussion of such motion may last two hours and if there are any questions to be answered on Monday the House will have to sit for more than two hours.

Mr. KAMINI KUMAR DUTTA: Sir, in connection with your ruling fixing Monday for this subject I have got one matter to bring to your notice and to the notice of the House that there is possibility of a general strike on Monday, and, if all the transport services stop, it may not be possible for many members to attend the Council. So Sir, it would be better to fix it for Tuesday.

Mr. PRESIDENT: That is true, Mr. Dutta, but we cannot decide questions on a hypothetical basis. We have got to proceed as we find things at present. There may be a strike; there may not be a strike. How, at this stage, can we frame our agenda on the basis that there will be a strike?

Extension of time for presentation of Select Committee Reports.

Mr. NUR AHMED: May I have your permission, Sir, to move my motion which is this: Two of my Bills were referred to Select Committee during the time of the last Ministry. Then section 93 of the Government of India Act, 1935 was promulgated with the result that Legislature ceased to function. Naturally the Select Committee could not report within the time allowed. So I pray for permission to move a formal motion for extension of time.

Mr. PRESIDENT: Will you kindly do so the next day and not today?

Communications from Government intimating action taken on address motions.

SECRETARY (Dr. S. K. D. Gupta): Sir, the following communications have been received from the Government intimating the action taken by them on the respective motions referred to in the said communications which were moved in and adopted by the Council on the 19th May, 1944, and 6th October, 1944, respectively, under rule 112 of the Bengal Legislative Council Procedure Rules:—

1. "GOVERNMENT OF BENGAL

Chief Minister's Department.

Constitution and Elections.

No. 1737A.R.

FROM S. C. CHATTERJI, ESQ., *Assistant Secretary to the Government of Bengal,*

TO THE SECRETARY, BENGAL LEGISLATIVE COUNCIL.

Calcutta, the 30th May, 1946.

SUBJECT: *Address presented to the Governor by the Bengal Legislative Council on the subject of the manufacture and sale of salt.*

SIR,

With reference to your memorandum No. 885/1L.C., dated the 20th May, 1944, I am directed to forward herewith a statement showing the action taken towards acceleration of salt manufacture in this province as envisaged in the motion.

I have the honour to be,

SIR,

Your most obedient servant,

S. C. CHATTERJI,

Assistant Secretary to the Government of Bengal.

Statement.

Under the Bengal Salt (Village Manufacture, Storage and Transport) Rules, 1943, promulgated by the Central Government, the villagers in the scheduled areas of the coastal districts of Bengal, viz., Midnapore, Howrah, Noakhali, 24-Parganas, Bakarganj, Chittagong and Khulna are permitted to manufacture salt on cottage basis without a licence and to dispose of the same at Government warehouses. In pursuance of the above rules, 11 warehouses, 7 in Midnapore and 24-Parganas and 4 in Chittagong, were established in 1943. With a view to accelerate production further, six warehouses, 3 in Chittagong, 2 in Noakhali and 1 in Bakarganj, have been established this year. Except Howrah and Khulna where production is reported to be poor, warehouses have now been established in all the scheduled districts of the province. Apart from encouraging production of cottage salt, the whole question of expansion of salt manufacture both on cottage and factory basis has since been examined by the Salt Industry Sub-Committee of the Industrial Survey Committee and in pursuance of their recommendations a Salt Development Officer, to explore the possibilities of accelerating manufacture of salt on factory basis to make the province self-sufficient in her salt requirements, will be appointed very soon. Further in order to ensure higher prices for cottagers' salt, a proposal to exempt cottage salt from payment of Central Excise Duty as well as Bengal

Government's dues during the emergency period is also under the consideration of Government. As all possible action has been and is being taken in the direction of manufacture and flow of salt under the existing Salt Laws, Government do not consider it desirable to make any representation to the Government of India at this stage.

2. GOVERNMENT OF BENGAL

Chief Minister's Department.

Constitution and Elections.

No. 1836A.R.

FROM V. C. DUTT, ESQ., B.C.S., *Assistant Secretary to the Government of Bengal.*

TO THE SECRETARY, BENGAL LEGISLATIVE COUNCIL.

Calcutta, the 18th June, 1946.

SUBJECT: *Translation and publication of all proceedings of the Bengal Legislative Council in Bengali.*

SIR,

I am directed to refer to your memorandum No. 1498/1L.C., dated the 10th October, 1944, forwarding therewith, a copy of an Address presented to His Excellency the Governor under rule 112 of the Bengal Legislative Council Procedure Rules, after a motion moved and adopted in the Bengal Legislative Council at its meeting held on the 6th October, 1944, and to say that Government regret, they are unable to implement the recommendation contained therein.

I have the honour to be,

SIR,

Your most obedient servant,

V. C. DUTT,

Assistant Secretary to the Government of Bengal."

GOVERNMENT BILL.

The Bengal Special Tribunal (Continuance) Bill, 1946.

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: The Bengal Special Tribunal (Continuance) Bill, 1946, has already been published in the Official Gazette. So no formal introduction seems to be necessary and with your permission, Sir, I would like to move a short-notice motion that the Bill be taken into consideration and passed on the 31st July, 1946.

Mr. PRESIDENT: I think you better formally introduce the Bill.

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: Is it necessary?

Mr. PRESIDENT: At least you should say "I introduce the Bill".

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: All right, Sir, I introduce the Bill.

(The Bill was introduced.)

Mr. PRESIDENT: As regards the other motions, namely, for consideration and passing, I think I should give some time to the honourable members to put in notices of amendments if they want to do so. I suggest that the matter should be taken up Tuesday next, 30th July, 1946. Notices of

amendments both to the motion that the Bill be taken into consideration and also on the clauses of the Bill should be given up to 3 p.m. on Monday, the 29th July.

Address Motions.

Mr. NUR AHMED: May I have your permission, Sir, to take one of my motions, namely, motion No. 6, out of its turn and move it first because it relates to the privilege of this House?

Mr. PRESIDENT: All right, you may do so.

Mr. NUR AHMED: I beg to move that an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council requesting His Excellency to inform His Majesty's Government in Great Britain that this Council is strongly of opinion that a great injustice has been done to its legitimate rights and privilege by His Majesty's Government and the British Cabinet Mission in India in not giving the right to the members of the Bengal Legislative Council, an elected representative body, to elect members to the proposed Constituent Assembly for India.

Sir. This matter relates to the privilege of the House. By the Government of India Act of 1935 this House was created and also the Bengal Legislative Assembly. But it appears that this House has been ignored altogether by the Cabinet Mission as well as by His Majesty's Government in England. It has not been given the right to elect members to the Constituent Assembly which will frame the future constitution for India. It is the view of all the civilised countries of the world with the exception of a very few, *e.g.*, South Africa, that there should be a second chamber. It is found from the history of the constitution of all the civilised countries that there exist two Houses side by side. In England the House of Lords is not an elected body but in India it is an elected body. Its members are elected and we fail to realise how the Cabinet Mission and His Majesty's Government could ignore this elected body in not giving it the right to select members for the Constituent Assembly. We are all thankful to the Hon'ble President for taking up the cause of this House. He was kind enough to bring up the case before the Viceroy and the Government but in spite of his strong representation and personal intervention nothing was done and the House has been denied the most valuable privilege. We, the members of the House, were not consulted on this important matter. With these few words I commend this motion to the acceptance of the House.

Mr. PRESIDENT: Motion moved that an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council requesting His Excellency to inform His Majesty's Government in Great Britain that this Council is strongly of opinion that a great injustice has been done to its legitimate rights and privilege by His Majesty's Government and the British Cabinet Mission in India in not giving the right to the members of the Bengal Legislative Council, an elected representative body, to elect members to the proposed Constituent Assembly for India.

Mr. KAMINI KUMAR DUTTA: I consider, Sir, that the grievance ventilated in this resolution is a very just and reasonable one. But the matter of regret is that it is a post mortem operation because the election has already taken place. However, we do not know as yet whether the Constituent Assembly would continue to sit and would ultimately succeed in framing a constitution. Nobody wishes that there should be a breakdown. We ought not to take this matter of not allowing the Upper House to elect representatives to the Constituent Assembly lying down. There is therefore some utility in giving out our grievances. It is admitted that the Constituent Assembly ought to have been formed only on direct votes

on the principle of adult franchise. That would have been the right mode of election, but to expedite the election with the consent of the political leaders the indirect mode of election was adopted. At least an opportunity should have been given to all the representative chambers to send representatives, to elect their representatives to the Constituent Assembly. In framing the constitution, an important problem is bound to arise as to whether there should be two chambers in the constitution of the country or whether there should be one. Therefore, it was not at all fair to ignore one of the elected House altogether, and I fully endorse the view expressed in the resolution. On the face of it the election was made on indirect method; so, the highest scope ought to have been given to as many representatives as possible and representatives from all shades of opinion from the country should have been taken.

Mr. HUMAYUN KABIR: Mr. President, Sir, I also rise to lend my support to the resolution moved by my honourable friend Mr. Nur Ahmed. I agree with the honourable the Leader of the Opposition that ours is a rather melancholy duty of a *post-mortem* examination. It is not even a *post-mortem* because in a *post-mortem*, the corpse is before you and if you operate upon it, certain results may ensue. In this case, even the corpse has vanished.

I do not, however, share the apprehension or shall I call it hope of the honourable the Leader of the Opposition. I do not desire that the Constituent Assembly may fail so that this Council may get another chance. That, I think, is undesirable from more points of view than one. I wish to place it on record that the elections to the Constituent Assembly and the manner in which the Assembly has been formed are indefensible. Stronger terms can in fact be used in describing it. For one thing, it seems that at the time of framing the proposals for this Constituent Assembly, it was altogether forgotten that under the Government of India Act, 1935, an Upper House in the Indian Legislatures is not analogous to the House of Lords in England. It is not a nominated body, nor a hereditary body. It is an elected body and the experience of the Legislature during the last 8 or 9 years has shown that the Upper House has an important function in the working of the constitution.

Sir, in this connection, I may refer to the experience of some of the most progressive countries in the world. In spite of the differences in details, I am sure, there will be general agreement that the Soviet Russia has granted the greatest amount of freedom and electoral rights to the people. There also we find two Houses. The Supreme Soviet consists of two different Houses with equal rights. The principle of election is of course different from ours. The two Houses are the House of Nationalities and the House of Soviets. But both are elected Houses and both have equal powers unlike the British, the French or the American Constitutions. The French Senate, as we all know, is also an elective House and it has on more than one occasion performed a very useful function. Sometimes it has saved the constitution from being wrecked. Sometimes it has saved France from facing disasters which would otherwise have overwhelmed it. As for the American Senate, different Senate Committees have become almost proverbial, *e.g.*, the Senate Committee on Foreign Affairs, or on economic matters. The Senate Committees advise on broad issues and have often guided American foreign policy, American economic policy, and American industrial policy.

The justification of a second House, the justification of a second Chamber can thus be shown not only from experience in India but also from experience outside. Since this House is an elective House, the fact that this House was ignored is certainly to be regretted. As I said at the very outset, I do not for one moment desire that there should be any question of a second election to the Constituent Assembly. Whatever it be,

the Constituent Assembly has been formed. What I want is that the feeling and opinions of this House be conveyed to His Majesty's Government through you. This House resents that the Constituent Assembly has been formed in a manner which is almost without any precedent so far as elections from Legislatures are concerned.

The British have introduced communal electorates in this country; they have introduced communal electorates so far as territorial constituencies are concerned. There is no communal electorate in local bodies in many areas; there is no communal electorate so far as representation of labour is concerned, or representation of landed interests. Representation of Universities is also on a joint basis. Till now, so far as Legislatures have been concerned, there has never been any question of communal electorates.

When Sir Stafford Cripps came in 1942, the proposal which he made is known as the famous Cripps offer of April 1942, which was for a Constituent Assembly which would be elected by the Legislature as a whole. There was at that time no question of segregating the Houses; there was no question of segregating the communities. This time, not only have the Houses been segregated, not only have certain elected members of the Legislatures been deprived of the right of voting in the election to the Constituent Assembly which will shape the future constitution of India, but the invidious communal principle which had so long poisoned relations in this country and which makes for division of this country from top to bottom, that vicious principle has been introduced within the Legislature itself.

As I said at the very outset, Sir, it is not even a *post-mortem*, we can only record our opinion. We do not desire that there should be another election to the Constituent Assembly. But what we do desire to convey with all the emphasis that we can command is that this Constituent Assembly, bad as it is, defective as it is, should still frame something which will give India the right to determine her own freedom and her own fate, and we hope that, given goodwill on both sides even now, something may be achieved; and we shall all pray and hope for that end.

At the same time, as members of this House, as elected representatives of the people, we shall be failing in our duty if we do not place on record our condemnation of the way in which the Constituent Assembly was formed, the way in which the vicious communal principle was introduced and the rights of a large section of the elected representatives of the people ignored.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I should like to speak not on behalf of Government but on my personal behalf as a member of this House. I associate myself with all that has fallen from my honourable friend Mr. Nur Ahmed that our House has been very unjustly ignored in the matter of framing the Constituent Assembly, that we have not been given the right of electing members to the Constituent Assembly and I think that in this matter we should acquaint the Governor and the Viceroy and also the British Government about the injustice which has been done to this House in this case and that, in future, in such matters this House should not be ignored.

Mr. HUMAYUN KABIR: If this House continues!

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That is a different thing. That is all I need say and what I have said, I have said on my personal behalf and not on behalf of Government.

Mr. PRESIDENT: Who is going to reply on behalf of Government?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I may say on behalf of Government that the proceedings of this House on this matter will be forwarded to the appropriate authorities for necessary action.

Mr. PRESIDENT: Order, order. The question before the House is: That an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council requesting His Excellency to inform His Majesty's Government in Great Britain that this Council is strongly of opinion that a great injustice has been done to its legitimate rights and privileges by His Majesty's Government and the British Cabinet Mission in India in not giving the right to the members of the Bengal Legislative Council, an elected representative body, to elect members to the proposed Constituent Assembly for India.

The motion was put and agreed to.

Special motion on Postal Strike.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, before you take up the next resolution—a number of them are there in the name of Mr. Nur Ahmed—may I request him and request you, Sir, also to permit me to move the resolution of which I have given notice?

Mr. PRESIDENT: Mr. Nur Ahmed, do you agree?

Mr. NUR AHMED: Yes, Sir, I have no objection.

Mr. PRESIDENT: Yes, Mr. Chowdhury.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I beg to move that in view of the great inconvenience and hardship caused to the public of this province by the strike of the Postal and Telegraph and Telephone employees of the Province thereby causing serious dislocation in the communications, this Council urges on the Government of Bengal to represent to the Government of India the necessity of an immediate settlement of the strike and restoration of the normal services.

Sir, my object in moving the resolution before the House is to focuss public attention of the Province to the enormous inconvenience that is being felt by all throughout the length and breadth of the Province due to the strike that was started more than ten days ago. It is not my purpose at this stage to create any difficulty in the delicate negotations that are going on at present or that are about to go on in Bombay and Delhi, but still it seems to me that the public interests in this matter are practically not being represented. It is being treated as an ordinary strike by labourers against an industrial concern. The particular importance of the particular strike is that this is a strike that is going on against the employers, the State, and the employees are the labourers. It is true that collective bargaining has been recognised all throughout the world in the matter of enforcing the rights of labourers against industrial concerns or combines. But, how far that principle is applicable to employment by the State is yet to be finally decided. There is a theory where it is said that private litigation or dispute should be allowed to be settled between the individuals concerned. But it is absurd to think that when employees go on a strike against their employers they should be allowed to take the law into their own hands and force their rights. The suggestion is that there should be a Tribunal and whenever there is any dispute or grievance between any individual or group of individuals that Tribunal should be in a position to decide the rights and the duties of the persons concerned, and such decision should be made binding on them. This should be particularly followed in the case of State employment. However that be, my purpose in moving this resolution is to emphasise upon the strikers and to bring to their notice that the interests of the country should not be forgotten in their own interests alone. It is well known that postal, telegraph and telephone services are extremely costly. A letter weighing half a *tola* requires 6 pice to be carried from one part of the

country to another. This is costly already and may be made costlier still because the strike will be adding a heavy burden on the people of the country, because in this tax all classes of people are almost equally involved. It is not a tax which only the rich pay but it must be shared by the people alike. At the same time the interest of the people of the Province should not be forgotten. It is essential that the method followed should be brought to an end, namely, to suspend all the essential services of the country. There is a serious attempt going on to stop all the essential parts of the service and it will be a calamity if these services are stopped in this organised way—there will be a total breakdown. This, I submit, is entirely wrong on the part of the labour organisers. If organised labour have just cause, that cause should by all means be achieved, but it should be by constitutional means without serious detriment to the people at large. It is entirely wrong to adopt measures of coercion, and force a decision favourable to them. I do not say that justice should not be done to them but at the same time it should not be forgotten that the suspension of all work would mean deadlock and disaster. We must avoid that and my object in bringing this motion is not to create difficulties or to prevent labour from getting its proper emoluments. I do not want to raise any controversial matter when negotiations are going on for a compromise; but I emphasise the point that the strike should terminate as soon as possible.

Mr. PRESIDENT: Motion moved: that in view of the great inconvenience and hardship caused to the public of this Province by the strike of the Postal and Telegraph and Telephone employees of the Province thereby causing serious dislocation in the communications, this Council urges on the Government of Bengal to represent to the Government of India the necessity of an immediate settlement of the strike and restoration of the normal services.

Mr. C. MORGAN: Sir, I rise to support the motion now before the House. I do not want to say anything about the strike itself. But because we are all suffering great inconvenience—we cannot telephone, we cannot send letters or telegrams—I think it would be much better if there were a general holiday in Calcutta, and all offices and business concerns closed, and let the strikers do what they like. At the same time there is no reason why we, as a representative body, should not take action in bringing to the notice of the Government of India the inconvenience suffered by the people. We all know what is going on, we all know what the Government of India is doing and what the Director-General of Post and Telegraphs is doing, but so far there is no definite result. We do not know the date when this strike will come to an end. In the meantime the whole communication of the Province is in a complete chaos. So we think it would be a very good thing if you, Sir, can possibly get a representation through—I do not know by what means as every means of communication is stopped—by aeroplane, I suppose,—to the Government of India. I hope that this will be done as soon as possible.

Mr. KAMINI KUMAR DUTTA: Sir, I rise to support the motion of my friend Mr. Hamidul Huq Chowdhury. No doubt the service concerned is under the direct control of the Government of India. But it is of a nature which affects the poor and the rich alike. It is an essential service and so the poor and rich have both been affected throughout the country. We cannot approach the Central Government direct but we can ask the Government of the Province to intervene and put the necessary pressure upon the Government of India to have the matter settled. No doubt, as has been already said, throughout the world labour is organised and, as has been very aptly stated, labour has the right to organise, but, at the same time, labour has to consider whether its demands are reasonable or not, particularly where it is a case between the State and

the employees when they are engaged in an essential service. There the matter is of vital importance. At the same time we should not shut our eyes to the fact that this desire on the part of the employees in all other walks of life also is growing and there is also the desire to spread the strike to other spheres of activities. In that case nobody knows what would be the ultimate result. So far as the attitude of the Congress in this matter is concerned, the message of Pandit Jawaharlal Nehru, the President of the Indian National Congress, is quite explicit. He has drawn the attention of the employees to the far-reaching consequence of the strike as the interest of the people of the country in general is concerned. He has been very careful in his message, and I think, if any one read through his message, he will find that he has given instructions to the strikers to have goodwill between the employers and the employees. The strikers should not forget that they are serving the people of the country. Of course it should be our primary concern to see that they get proper, adequate and reasonable remuneration, particularly the employees of the lower grades. Employees in the higher grades get good salaries, but it is the poorer section of the employees who really suffer and they ought to get full consideration and sympathy from the public as well as from the State. Pandit Nehru has said that the interest of the people in general cannot be overlooked. As to the inconvenience and suffering caused to the people, it is the personal experience of every one in the country and I need not dilate upon this point. Personal sufferings of the people in general are beyond words and they are suffering irreparable losses due to the fact that they cannot find any redress at all. It is a matter which requires a speedy settlement for the normal restoration of services.

Mr. HUMAYUN KABIR: Mr. President, Sir, so far as the resolution of Mr. Hamidul Huq Chowdhury is concerned, I whole-heartedly support it, and, if he had only moved his resolution without a speech, I would not have felt called upon to speak. In fact, I intended not to speak on this motion because I hoped that it would be one in which there will be no controversy at all. Unfortunately, in the course of his speech, the mover made one or two remarks which should not be allowed to go unchallenged.

Every one is agreed that so far as the essential services are concerned they ought to be maintained. The sufferings which have been imposed upon the public on account of the postal strike are insufferable. Government have not suffered so much. My honourable friend on my left asked as to how we were going to convey this resolution to the Government of India. I think, Sir, he (Mr. Morgan) knows that the Government post is being carried either by the courier service or by air and there is regular transmission of Government *dak*. It is only private individuals and business concerns who are suffering. If there is a resolution in this House, you are only to send it to the Government House here and the Governor or his office will see that it reaches the proper quarters. Government are not suffering. It is we who are suffering. Therefore, Sir, the urgency for settlement, the desire for a settlement, is far greater in our case than seems to be with the Government.

Where I differ from my honourable friend Mr. Hamidul Huq Chowdhury is with regard to the right to strike to obtain higher emoluments; the right of the employees to demand a decent standard of life. He stated in his speech that the postal service is an essential service, that it is a public utility service and, since the public will have to pay either through direct taxation or through indirect taxation, therefore the emoluments should not be such as will impose any undue burden upon the public. With that general principle I have no quarrel. Where I differ from him is that the public have no right to demand that the workers shall work under conditions which are almost unbearable. The wages which are being paid to-day are shameful. I think no civilized Government could place them before the public and not be ashamed of them. Wages are Rs. 12 or Rs. 15 in a city like Calcutta. With dearness allowance they probably come up to Rs. 40!

One of my honourable friends on the left suggests a higher figure. There may be a higher figure in certain cases. Even that figure is too low I am speaking with knowledge because I have dealt with some of these questions. I can tell you that in the case of some of these public utility services, Rs. 38 is the total emoluments which the Government give by way of cash payment and payment in kind. The total emoluments by cash payment and payment in kind including all kinds of concessions like cheap houses or cheap grain shops and other facilities come to Rs. 38 in all! And I ask by honourable friend on my left to consider whether Rs. 38 is enough for a man and his family in a city like Calcutta!

Therefore, when it is said that the public services, the public utility services, should not demand anything which imposed any burden upon the public, it is equally incumbent upon the public to see that there is no sweating of labour. I think, Sir, that the public, none of us, have any right to demand that the labourers shall starve so that we can have cheap post-cards or cheap travel. If, in order to meet the legitimate pay bill, taxes have to be increased, rates and fares have to be increased, the public ought to make up their mind that they will face that increased bill. In our country there is too often talk of retrenchment. In my opinion, there is not much room for retrenchment when the whole budget is considered. In fact, there will be an expansion in the budget as soon as we give adequate human living wages to the lowest paid staff. It is not a case of retrenchment. It is a case of redistribution of the total national assets.

Today a handful of persons get very high wages but the vast multitude get far too little. Since we want to give them adequate human wages, there should be no question of retrenchment at all. One rupee increase in the lower scales means far more than having 10 heads of departments. Reduction in the salary of the heads of the departments is not going to help us very much though it is going to help a little. Not very much, because the total amount saved will not be large. A little, because it will serve as an example and also narrow the difference between the top most and the lowest grade. The labourers have a right to demand a living wage. For that, they are entitled to use whatever weapons are there at their command. I am afraid, I have to differ from my honourable friend, the mover of this resolution.

I would further submit, Sir, that organised labour has always expressed its willingness to submit its case for arbitration or adjudication. Wherever questions have been referred to adjudication in time, whenever they have been referred to arbitration in time, these questions have been settled more or less amicably and in fact, Sir, it seems to me that the proper methods to be adopted by Government to-day ought to be the setting up of some permanent machinery, permanent conciliatory machinery, on the lines of the machinery set up in England and elsewhere, which will deal with industrial disputes, especially in the case of disputes which concern the vital services. If some such machinery is set up permanently for dealing with these questions as soon as they crop up and before the damage is done, I think, Sir, much of the hardships of the public will be avoided.

I said a moment ago that I am speaking from knowledge as I had something to do with the notice about the All-India Railway Strike. In fact I had the privilege of moving the motion for the notice of the strike, and when we came to a settlement again I had the privilege of moving the motion. There was conciliation and settlement at least for the time being. We feel that if concessions were made in time the thing would not have gone so far. Government's policy is always too late and too little. If, however, there is some permanent machinery and I would again and again request that it be conveyed to the Government of India that the only method, the only remedy, for dealing with this kind of question is the setting up of a permanent machinery, conciliatory machinery for arbitration and if that body is really impartial and permanent I have no doubt that organised labour will submit to the findings of that body.

I will conclude by saying that whenever there is a strike of any kind or any action by organised labour, organised labour knows that it can succeed only if it can win the sympathy of the public. Labour has no other weapon or force behind it except public sympathy and no strike can succeed unless it has public sympathy behind it. So that the amount of success that the postal strike has achieved—I am offering no comments on the inconvenience indicated in the motion—and whatever success has been achieved by them is due to public sympathy. In the case of the possible railway strike also the same was the case. Therefore, if we have an impartial machinery to deal with industrial strikes and disputes I am sure organized labour will submit to the findings of that impartial machinery, for they know that if they do not accept the findings of a machinery of that type they will not be able to expect public sympathy for otherwise they cannot hope to win. I conclude by supporting the motion and expressing the hope that there may be a speedy settlement of the question which has already been allowed to be dragged too long and the sooner it is settled the better for the public and all concerned.

Mr. BIJOY SINGH NAHAR: Sir, my leader has made quite clear the view point of the Congress Party and I need not add anything more except to draw the attention of the Provincial Government to a matter which has appeared in today's papers, that the strikers, employees of the General Post Office, are not getting their proper supplies of ration. I would like to request the Government that these people should not be deprived of their rations and some arrangements must be made so that they get their rations in time.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: As is usual in the case of resolutions on matters which are not primarily the concern of the Provincial Government we will forward the proceedings of the debate for transmission to authorities which are really concerned with the resolution and at the same time we must say, as I have already promised, we will add that it is absolutely correct that people of this country of all classes are passing through great inconvenience on account of the practical suspension of communications of all kinds. These are all that I may add.

A remark has been made about the supply of ration. I am not in a position to say anything in regard to this matter as it is a new matter and was not expected, and the Hon'ble Minister in charge of Food is not here at present. But if the honourable member will please see my colleague in his office, I am sure, he will tell him what he can do in the matter.

Mr. HUMAYUN KABIR: On a point of information, Sir. The proceedings of today's debate will be forwarded to the proper quarters but generally it takes a long time to get the proceedings ready, and if they are to be forwarded after the proceedings are ready then it will be several months, when all the urgency of the motion will have been lost. Therefore, I suggest that the motion may be forwarded today, simply that such a motion has been unanimously passed today by the Bengal Legislative Council.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, Sir, I have no objection to that. Only the resolution will be forwarded to the Government of India with the intimation that this resolution has been unanimously passed by the House.

Mr. PRESIDENT: Mr. Chowdhury, do you propose to reply?

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I have not much to say in reply except with regard to some remarks made by my friend Mr. Humayun Kabir. He said that I have introduced in my speech something with which he disagrees. I want to make it clear that I do not stand in the way of the

postal men going on strike for bettering their pay and allowances. I do not say that the emoluments paid to the Bombay postal peons are sufficient or insufficient: I have not said that Rs. 65 paid in Poona is sufficient or insufficient. But what I say is that the people and especially the poorer section has been hard hit by this strike. I speak on behalf of these people. It has been represented that there are two parties to this controversy. It has been said that the people are greatly inconvenienced on account of the stoppage of telegraphic communication and postal communication and they are suffering greatly on this account and they are greatly suffering on account of this organised way of stopping work. The postal workers are well organised and it is very good that they are well organised. But they should not use their organisation for coercion. Coercion and force should be objected to by everybody. I think Mr. Humayun Kabir agrees that the total stoppage of essential service will mean a blow to the everyday life of the people. There should be an unhindered play of the everyday life of the people. We are told that a part of the telephone service is working—that a part of the telegraphic service is working—that the aeroplane mail service is working. But our experience is otherwise. We do not know which part is working and which is not. I do not object to the strike itself but we certainly object to the bargaining side of it. It has been said that there should not be sweat labour. There are 400 million employees. Can anybody say that he is prepared to pay so much for his labour? No one can say that he is willing to pay Rs. 7, Rs. 56 or say Rs. 30. If he has to pay for the services of his labour it must be according to his capacity. I agree with Mr. Humayun Kabir that every one should get a higher emolument so that he may have a decent way of living. But let the really poorer section have the living wage first. There should not be any bargaining by the organised labour and taking advantage of their strong organization bring down Government to their way of thinking. I do not object to accept the terms of the labour but they should not push it to the extreme. They should not stand for prestige. They should not be blind to the interest of the public at large. I want it to be noted that I am not against this labour movement. But it is also my desire that people should not unnecessarily suffer. I hope that the Government of Bengal will move in the matter as has been done by the Government of Bombay. The suffering of the people of Bombay on account of strike is certainly less than what we are suffering here in Bengal.

Mr. PRESIDENT: Order, order. The question before the House is: that in view of the great inconvenience and hardship caused to the public of this province by the strike of the Postal and Telegraph and Telephone employees of the province thereby causing serious dislocation in the communications this Council urges on the Government of Bengal to represent to the Government of India the necessity of an immediate settlement of the strike and restoration of the normal services.

The motion was then put and agreed to.

Mr. PRESIDENT: There are only 10 minutes' time at our disposal. Mr. Nur Ahmed, do you propose to move any of your motions?

Mr. NUR AHMED: Yes, Sir.

Mr. PRESIDENT: All right.

Address Motion.

Mr. NUR AHMED: Sir, I beg to move that an Address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council requesting His Excellency to make a strong representation to the Government of India to give every encouragement, assistance and help to the development of Indian ship-building industry in Bengal principally under Indian capital, control and management.

Sir, this is a question which vitally affects the economic interest of this great continent in which Bengal is included. The ship-building industry was well organised from time immemorial in Bengal. From records, paintings in different temples, both Hindus and Buddhists, from folklores of Bengal and history, we find that even before the Hindu period there was ship-building industry in Bengal. From a certain painting in a certain temple of Java, it appears that ship-building was represented on that temple and that ship was built in Bengal. It was before 500 B.C. From the description of Ptolemy we find that before 500 B.C. there were great harbours in Bengal, such as Satgaon which is described by Ptolemy as a royal city of immense size, as well as Sonargaon, Tamluk and other great harbours of East Bengal. Folklores of Bengal are full of praises of achievements and bravery of Indian sailors. I may mention the story of Manasa and Chand Sadagar and the seven *dingis*.

Coming to the Mahomedan period, during Akbar's reign there was well organised ship-building industry in Bengal. In *Aini-Akbari* and in other records during the time of Akbar we find that in 1582 some *perganas* in Bengal were definitely assigned for building of Imperial *Nowwara* (flotillas). 3,000 vessels consisted of that flotilla and most of the ships were built at Dacca and Hooghly and at other harbours of Bengal. There the ships were stationed and anchored to guard against the inroads by pirates, such as, Mughs and Portuguese. The Venetian traveller Cesore de Fedrici writing about 1565 says that 200 ships were laden yearly with salt. Such was the abundance of materials for ship-building in Bengal that the Sultan of Turkey used to have a ship built in Bengal rather than at Alexandria because ship-building materials were very cheap in Bengal and the cost of ship-building in Bengal was also cheap. Foreign writers and travellers who visited Bengal in the 16th century speak in high terms of wealth flowing from seaborne trade and the magnificence of some Bengal ports. During Hussain Shah's time, that is, 1498-1520 A.D., he maintained a powerful fleet consisting of ships built in Bengal. In 1661 Mirjumla attacked Assam with 800 ships built in Bengal. In 1664 Shaista Khan revived ship-building.

Mr. GEORGE MORGAN: On a point of information, Sir. I am trying to follow my honourable friend here but from what I gather he wishes to revive coastal traffic and speaks of big type of vessels and fleets and flotillas. If that is the case it alters the whole object——

Mr. PRESIDENT: What is your point, Mr. Morgan?

Mr. GEORGE MORGAN: I simply raised the point whether the mover's object is to resuscitate the age-long ship-building operations and those ships were wooden vessels.

Mr. PRESIDENT: He is only tracing the history of the ship-building industry in Bengal.

Mr. NUR AHMED: Thus it will appear from historical records that there were harbours in Bengal both in Hindu, Buddhist and Muslim periods for ship-building and Lord Wellesley, Governor-General of India, writing in 1800, says that there were about 200 ships of 100,000 tonnage built in Bengal in Calcutta and from the register of ships it appears that from 1789 to 1839 the total number of ships built in Bengal was 376 but this industry began to decline from 1840 and finally it was abolished in 1863. Many factors combined together to bring about the decline of an industry that once flourished in Bengal. Sir, today we stand on the threshold of very great momentous events. It is said that India is going to be independent and is going to be a member of the British Commonwealth——

Mr. PRESIDENT: Order, order. Mr. Nur Ahmed, I think you better stop here for the day as the time is up. The House stands adjourned till 2-15 p.m. on Monday, the 29th July, 1946.

Adjournment.

The Council then adjourned till 2-15 p.m. on Monday, the 29th July, 1946.

Members absent.

The following members were absent from the meeting held on the 26th July, 1946:—

(1) Mr. Abdulla-al-Mahmud,
(2) Mr. Yusuf Ali Chowdhury,
(3) Khan Bahadur Sk. Fazal Ellahi,
(4) Sir. Md. Azizul Huq, Khan Bahadur,
(5) Maulana Md. Akram Khan,
(6) Mr. Syed Abdul Majid,
(7) Khan Bahadur Mukhlesur Rahman,
(8) Mr. Satish Chandra Sen, and
(9) Mr. F. C. J. Steuart.

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session—No. 3.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 29th July, 1946, at 2-15 p.m., being the third day of the First Session, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Want of Quorum.

Mr. ABDUL RASHID: Mr. President, Sir, I do not think there is any quorum and so the House may kindly be adjourned.

Mr. BISWANATH ROY: Sir, our party members have not been able to attend for want of transport facilities due to the general strike, and I request you, therefore, Sir, to adjourn the House.

Mr. PRESIDENT: Let a count be taken and let me see whether there is a quorum.

(As there was no quorum the bell was again rung.)

Order, order. As the quorum is still not there, the Council stands adjourned till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Tuesday, the 30th July, 1946.

Members absent.

The following members were absent from the meeting held on the 29th July 1946:—

(1) Mr. Abdulla-al-Mahmud.
(2) Mr. L. P. S. Bourne.
(3) Khan Bahadur Syed Abdur Rasid Chowdhury.
(4) Mr. Moazzemali Chowdhury.
(5) Mr. Hamidul Huq Chowdhury.
(6) Mr. Yusuf Ali Chowdhury.
(7) Mr. Lalit Chandra Das.
(8) Mr. Hemendra Kumar Das.
(9) Mr. Bankim Chandra Datta.
(10) Mrs. Labanyaprobha Dutta.
(11) Mr. Kamini Kumar Dutta.
(12) Khan Bahadur Sheikh Fazal Ellahi.
(13) The Hon'ble Khan Bahadur Abdul Gofran.
(14) Khan Bahadur A. M. Shahoodul Haque.
(15) Sir Md. Azizul Haque, Khan Bahadur.
(16) The Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain.
(17) Mr. Mungturam Jaipuria.
(18) Alhadj Khan Bahadur Shaikh Md. Jan.
(19) Mr. Satish Chandra Jana.
(20) Mr. Humayun Z. A. Kabir.
(21) Alhaj Yar Ali Khan.
(22) Maulana Md. Akrum Khan.
(23) Rai Bahadur Brojendra Mohan Maitra.
(24) Mr. Syed Abdul Majid.
(25) Mr. Haridas Mazumdar.
(26) Mr. Nagendra Nath Moholanabish.
(27) Mr. George Morgan.
(28) Mr. Tarak Nath Mukherjea.
(29) Mr. T. B. Nimmo.
(30) Khan Bahadur Mukhlesur Rahman.
(31) Rai Bahadur Jogendra Nath Ray.
(32) Dr. Kumud Sankar Ray.
(33) Mr. Biren Ray.
(34) Mr. Birendra Kishore Ray Chowdhury.
(35) Miss Ethel Robertson, C.S.P.
(36) Mr. Charu Chandra Sanyal.
(37) Mr. Satish Chandra Sen.
(38) Mr. F. C. J. Steuart.
(39) Khan Sahib Maulvi Wahiduzzaman.

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BENGAL LEGISLATIVE COUNCIL DEBATES

First Session—No. 4.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 30th July, 1946, at 2-15 p.m., being the 4th day of the First Session, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

Census of major economic activities in Bengal.

39. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state if the Government of Bengal have made any Province-wide census of all the major economic activities in Bengal including a survey of geological resources, namely, minerals, stones and soils in order to find out if there are any unexplored and undeveloped resources in Bengal which could possibly be utilised to hasten the pace of industrial development in Bengal?

(*b*) If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister-in-charge of the Department of Commerce, Labour and Industries): Apart from an industrial survey done by an industrial Survey Committee no other census or survey on a Province-wide basis has been undertaken. The above survey does not cover survey of all geological resources.

As Geological Survey is a subject in the Federal legislative list, survey of geological resources is done by the Department of Geological Survey of India.

Revaluation work in the district of 24-Parganas.

40. Mr. HARIDAS MAJUMDAR: (*a*) Will the Hon'ble Minister in charge of the Department of Land and Land Revenue be pleased to state—

(*i*) the date of the order for Revaluation last issued under section 12 of the Cess Act, 1880 (Bengal Act IX of 1880), by the Board of Revenue, or other authorised officer, in respect of the district of 24-Parganas; and

(*ii*) the date when the work was started for Revaluation under the said Act?

(*b*) Is it a fact that such Revaluation work was not done in the said district for nearly twenty years prior to the said work as indicated in part (*a*) above?

(*c*) Is it a fact that a period of ten years is prescribed to intervene between two general Revaluation Proceedings? If not, what is the period so provided?

(*d*) In respect of the latest Revaluation work, is it a fact—

(*i*) that Returns were duly filed by all interested persons several years ago;

(*ii*) that the Revaluation work and papers have been compiled and completed; and

(*iii*) that the Revaluation Rolls and Statements have not as yet been published as prescribed in the Statutory Rules 5 and 6 under section 107R of the Act?

(*e*) Has such publication actually been made? If so, when was it done?

(*f*) If not, what is the reason for such non-compliance and does the Hon'ble Minister propose to take necessary steps for its publication without delay?

(*g*) In respect of the cost of the Revaluation work—

(*i*) when and what amount of money was the District Board of 24-Parganas called upon to pay; and

(*ii*) when was the amount realised from the said District Board?

(*h*) Is it a fact—

(*i*) that the publication of the Revaluation Rolls and Statements is being withheld as the Revaluation as arrived at under the rules has been found to be lower than the existing valuation; and

(*ii*) that the cess demand having been found to have decreased attempts are being made to enhance the same by promulgating new Rules or Ordinance; if so, what are they?

MINISTER in charge of the DEPARTMENT of LAND and LAND REVENUE (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*)(*i*) 19th July, 1940.

(*ii*) January, 1941.

(*b*) Yes.

(*c*) The honourable member is referred to section 12 of the Cess Act, 1880.

(*d*) (*i*) The Collector called for returns under section 107J of the Cess Act after the revaluation operations started.

(*ii*) The revaluation work proceeded up to the stage of publication of acreage rates, etc., under section 107G(*3*).

(*iii*) Yes.

(*e*) Does not arise.

(*f*) *Vide* answer against item (*h*).

(*g*) In all for the period from 1940-41 to June, 1944, a sum of Rs.48,306 was charged. The expenditure of each month was recovered from the District Board through Cess Memorandum at the end of each month.

(*h*) Cess revaluation on acreage rate basis under Chapter VIIA of the Act was found to lead to an inequitable distribution of assessment and a very considerable increase in the incidence of cess on cultivating *raiyats* in many districts including the 24-Parganas, and as such, operations under that Chapter were suspended in all these districts as the rental basis of valuation could not be used therein on account of the then existing provision of section 107A. This necessitated an amendment of the section so as to make it fully optional to the Provincial Government to utilise in any given district either the acreage rate or the rental basis of valuation, whichever appears the more equitable. Such amendment has since been made by a Governor's Act (Bengal Act IX of 1946) and action is being taken to resume the revaluation operations in the 24-Parganas and other districts where they are under suspension.

Dredging of the river Hooghly.

41. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Department of Irrigation and Waterways be pleased to state if the Government propose to consider the desirability of intensifying—

(*a*) the dredging efforts in the lower reaches of the river Hooghly; and

(*b*) of dredging the upper reaches for free flow of water from the river Padma and of the other tributaries of the Hooghly?

MINISTER in charge of the DEPARTMENT of IRRIGATION and WATERWAYS (the Hon'ble Khan Bahadur A. F. M. Abdur Rahman): (*a*) The work of dredging the lower reaches of the Hooghly is done by the Commissioners of the Port of Calcutta.

(*b*) It is not contemplated to undertake the dredging of the upper reaches, as that will bring in a large quantity of sand which may cause harm both to the upper and lower reaches.

Recommendations of the Bhore Committee.

42. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state if his attention has been drawn to the recommendations of the "Bhore Committee" appointed by the Government of India made in their report published recently in India?

(*b*) Do the Government propose to take early steps to put some of their recommendations, especially short-term provincial schemes, into operation in Bengal?

Mr. PRESIDENT: Khan Bahadur Mohammed Ali——

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, in accordance with the decision of the All-India Muslim League Council I have renounced the title of "Khan Bahadur": so I wish to be known as "Mr. Mohammed Ali".

(Cheers from the Opposition Benches.)

MINISTER in charge of the DEPARTMENT of HEALTH and LOCAL SELF-GOVERNMENT (the Hon'ble Khan Bahadur Mohammed Ali): (*a*) Yes.

(*b*) Yes, the matter is already under consideration of Government.

Setting up of Provincial Health Board and Health Council.

43. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state what steps have been taken by the Government of Bengal to set up in Bengal a Provincial Health Board and a Provincial Health Council on the lines as recommended by the Bhore Committee in their report recently published in India?

(*b*) What steps have been taken by the Government of Bengal for the promotion of birth control as a part of a plan to deal with the population problem on the lines as recommended by the Bhore Committee in their report?

(*c*) If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI: (*a*) The setting up of a Provincial Health Board and Provincial Health Council is one of the many recommendations of the Bhore Committee Report, which have to be studied in mutual correlation. Government is examining the whole set-up in consultation with the Government of India.

(*b*) and (*c*) Government does not at present propose to take positive steps to encourage birth control, but the other recommendations of the Bhore Committee as summarised in paragraph 313 of Volume IV of the Report, are being considered by Government.

Mr. BIREN ROY: In view of the announcement made just now by Mr. Mohammed Ali, does the Hon'ble Minister think it desirable for Government to examine the whole set-up in consultation with the Government of India, as they are going to have a sovereign Pakistan?

Mr. PRESIDENT: I do not think that question arises. Questions over.

Adjournment motion.

Mr. LALIT CHANDRA DAS: On a point of information. There were certain items for discussion yesterday which could not be taken up. I think, Sir, it would be taken up some time next day. Will you decide when it will be taken up?

Mr. PRESIDENT: Yes, I am going to take up that question now. There was an adjournment motion to be taken up yesterday. But due to very unforeseen circumstances the House could not transact any business yesterday. I suggest that the adjournment motion of Mr. Haridas Mazumdar be taken up for discussion after question hour tomorrow. Is there any objection?

Mr. LALIT CHANDRA DAS: No.

Mr. PRESIDENT: I take it that Government also are agreeable.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes.

Government Bills.

Mr. PRESIDENT: As regards the next item on the agenda, viz., the Bengal Finance (Amendment) Bill, 1946, we have not yet received the message from the other place, so that item stands over. As regards item III—the Bengal Special Tribunal (Continuance) Bill,—the time for putting in amendments was fixed up to 3 p.m. yesterday. As most of the members could not send in the amendments yesterday for the same reason, I fix it up to 3 p.m. tomorrow and after that the Bill will be taken up later on.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: When are you going to take up the consideration of the Bill?

Mr. PRESIDENT: What is your suggestion?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I suggest that it be taken up after the budget debate.

Mr. LALIT CHANDRA DAS: We have no objection.

Mr. PRESIDENT: I think it can be taken up immediately after the budget discussion is over.

Hours of sitting of the Council.

Mr. NAGENDRA NATH MAHALANOBISH: On a point of order, Sir. I do not understand the necessity of accommodating the other House in this way. We are going to have a very short meeting today. Now, may we know whether the sitting hours of this House are fixed by the President of this House or we are to accommodate the other House according to their convenience. You will be pleased to fix a rule under which members of this House may not be inconvenienced owing to the necessity of the other House.

Mr. PRESIDENT: As you know there is such a provision in the rule. In the present case I understand there is a request from Government to shift our sitting hours to accommodate the members of the other House on account of Ramzan. In this connection I may say that this House has always felt that there should be a separate chamber for it. I sincerely hope that second chamber is going to be a permanent feature of Bengal's future constitution. In that case there should be a separate building for the Upper House. It is neither economical from the financial point of view, nor it is helpful for the expeditious disposal of Government business to accommodate both the Houses in the same chamber. The sitting hours are bound to clash. Here is a request to shift our sitting hours to suit the other House. May I hear the Leader of the House with regard to this matter. What is the suggestion he likes to put forward regarding the sitting hours?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: We would like to sit from 1-30 to 3-30 p.m. but I cannot say whether that would suit the other House.

Mr. PRESIDENT: Let me consult the Leader of the European Party, Mr. Morgan.

Mr. C. MORGAN: Sir, we have no objection to sit at 1-15 or 1-30, provided it suits other members of this House.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In that case let us sit at 1-15 p.m.

Mr. D. J. COHEN: I do not think, Sir, 1-15 p.m. will be convenient to us.

Khan Bahadur CHYASHUDDIN PATHAN: Sir, it will be difficult for the Muslim members to sit at 1-15 p.m. on account of the Ramzan. We have to say our prayers on Fridays.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On Fridays we shall sit at 2 p.m., or in the morning.

Mr. PRESIDENT: I think it is not fair to the members of this House to be asked to sit according to the convenience of the other House. There must be some definite hour for our sitting. This House cannot be asked to sit one day in the morning, next day in the afternoon and another day in the week in the evening. So, I suggest that we should sit at 1-30 p.m. I take it that there is no objection on the part of the Muslim members to sit at 1-30 p.m.? Only on Fridays we may sit at 2 p.m.

Khan Bahadur CHYASHUDDIN PATHAN: We cannot finish our prayers within 2 p.m. So, it will be difficult——

Mr. PRESIDENT: In that case please consult your leader. Shall I adjourn the House for 15 minutes so that you may discuss the matter among yourselves?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: No, Sir, we shall sit at 1-30 p.m. on other days in the week and on Friday at 2-15 p.m.

Mr. PRESIDENT: All right. Then it is agreed that we shall sit at 1-30 p.m. on other days and at 2-15 p.m. on Fridays.

As there is no more business on the agenda today, I adjourn the House till 1-30 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-30 p.m. on Wednesday, the 31st July, 1946.

Members absent.

The following members were absent from the meeting held on the 30th July, 1946:—

(1) Mr. Abdulla-al-Mahmud.

(2) Mr. L. P. S. Bourne.

(3) Mr. Hamidul Huq Chowdhury.

(4) Mr. Yusuf Ali Chowdhury.

(5) Mr. Kamini Kumar Dutta.

(6) Khan Bahadur Sheikh Fazal Ellah

(7) Sir Md. Azizul Haque, Khan Baha

(8) Mr. Humayun Z. A. Kabir.

(9) Maulana Md. Akrum Khan.

(10) Mr. Syed Abdul Majid.

(11) Khan Bahadur Mukhlesur Rahman.

(12) Dr. Kumud Sankar Ray.

(13) Mr. F. C. J. Steuart.

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 5.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 31st July, 1946, at 1-30 p.m., being the 5th day of the First Session, 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

Attack of Typhus in Bengal.

44. Rai Bahadur BROJENDRA MOHAN MAITRA (on behalf of Mr. Birendra Kishore Roy Chowdhury): Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(a) if there have been cases of Typhus in Bengal, particularly in the district of Darjeeling, during the last one year;

(b) if so, how many; and

(c) what precautionary steps have the Government taken against the attack of Typhus?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of the Minister in charge of the Department of Health and Local Self-Government): (a) Yes.

(b) A statement is laid on the Table.

(c) The following measures were taken by the Government for the town of Darjeeling which was most affected:—

(1) In September, 1944, an investigating party was deputed to Darjeeling.

(2) Temporary regulations for the control of Typhus under the Epidemic Diseases Act were enforced in the district for a period of 9 months from October, 1944.

(3) A grant of Rs.1,873 from the Provincial revenues was sanctioned to the municipality for general anti-Typhus measures and another grant of Rs.12,000 for the erection of a disinfectation plant in the town.

(4) A supply of 15,000 c.c. of anti-Typhus vaccine was made available to the municipality for preventive inoculation.

(5) Fifty gallons of concentrated pyrethrum extract, six portable field disinfectors and six dozen of hypodermic needles were also supplied to the municipality.

Statement referred to in reply to question No. 44.

INCIDENCE OF TYPHUS FEVER REPORTED IN BENGAL DURING 1944 AND 1945.

Year.	Calcutta.		Darjeeling district.				Tangail Municipality.		Chittagong Municipality.		Total of Bengal.	
			Darjeeling.		Rural areas.							
	Attacks.	Deaths.	As.	Ds.	As.	Ds.	As.	Ds.	As.	Ds.	As.	Ds.
1944 ..	4	1	218	58	19	2	4	2	5	.	250	63
1945 ..	9	8	67	9	21	3	Nil	Nil	Nil	Nil	97	20

Establishment of Industrial Mortgage Banks.

45. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state whether any step has been taken by the Government of Bengal to establish a special institution, such as, Provincial Industrial Corporation in Bengal, to help industries in Bengal as recommended by the Industrial Commission, the Central Banking Enquiry Committee and Provincial Banking Enquiry Committee with provisions for long-term and medium-term financial facilities to the industries by the establishment of Industrial Mortgage Banks as established in Western countries and to grant long-term amelioration loans to industries on industrial assets? If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Department of Commerce, Labour and Industries): I have no ready information as to what steps, if any, had been taken by the Government in the past for implementing the recommendations of the Indian Industrial Commission and the Banking Enquiry Committees—both Central and Provincial. For the present, however, the Bengal State Aid to Industries Act, 1931, provides the machinery for the grant of State aid to the industries of the Province and proposals for amendment of the Act so as to widen the scope of its usefulness are now under the consideration of Government. The Industrial Credit Syndicate was established in 1937 with the object of affording financial assistance to small and cottage industries in Bengal but as it, among other things, failed to achieve the objective to any appreciable extent, the Government subvention towards its administration expenses was discontinued in 1940.

Re-excavation of the "Mirer Khal" in Tippera.

46. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Department of Irrigation and Waterways be pleased to state—

(*a*) whether to make communication easy for all, for most part of the year and for facilitating trade between *bazars* of Companyganj, Mohespur and Kuti within the district of Tippera as also for irrigating the surrounding lands and improving the health of the locality Government will be pleased to take up the re-excavation of the *khal* known as "Mirer Khal" which issuing from the river Gumti at a point close to Companyganj Bazar falls to the river Burigang at a point in village Majur which is within the Sadar subdivision of that district, the length of the *khal* being 2½ miles only;

(*b*) whether he is aware that this *khal* is a very ancient and historical *khal* and now dries up and remains dry with cess-pools and stagnant water here and there for most part of the year causing great inconvenience to the public and the traders and spreading malaria to the surrounding villages; and

(*c*) if the Government will take any action in the matter; if so, what?

MINISTER in charge of the DEPARTMENT of IRRIGATION and WATERWAYS (the Hon'ble Khan Bahadur Abul Fazal Muhammad Abdur Rahman): Information has been called for and the reply will be given as soon as it is received.

Mr. LALIT CHANDRA DAS: I protest against such answer, Sir. Will this Question be answered again and the information asked for given or, is it the final reply? The answer that is given is no answer at all.

Mr. PRESIDENT: Order, order. The Hon'ble Minister has replied that information has been called for and the reply will be given as soon as it is received. The answer given now is in the nature of an *ad interim* reply.

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: The information asked for in the question will be given as soon as it is received by me.

Adjournment Motion.

Mr. PRESIDENT: Order, order. Now we propose to take up the adjournment motion to be moved by Mr. Haridas Majumdar. As several members are new to this House I would just like to inform them that the mover gets 20 minutes and the Minister in charge while replying may speak for 20 minutes. Other members will speak for not more than 10 minutes each. While replying the Minister in charge may take 10 minutes. The debate must be finished within 2 hours.

Mr. LALIT CHANDRA DAS: Sir, if the number of speakers is not many, then perhaps we may be given more time than allotted? For instance, the other side may not be willing to say much, but here almost everybody is willing to speak.

Mr. PRESIDENT: No, under the Rules I cannot. Please look up the Rules.

Mr. LALIT CHANDRA DAS: Then in that case we shall have ten minutes only?

Mr. PRESIDENT: Yes.

Mr. HARIDAS MAJUMDAR: Sir, I beg to move that this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the grave situation that has arisen in the country under its altered circumstances for not releasing the political prisoners of the Province.

Sir, at the very outset I should like to point out that I do not wish this motion to be regarded as a censure motion against the Government, though the Opposition has every right to table a censure motion, because I think it is an irony of fate that at a time when leaders are tired of repeating that India is at the door of freedom I have to move this adjournment motion for the release of political prisoners some of whom have been rotting in prison since the pre-reform days. Interminable talks have been going on now for about two years between our leaders, like Mahatma Gandhi, Maulana Abul Kalam Azad, and the Viceroy, reinforced lately by the Cabinet Ministers. The world has been told that the Congress has agreed to join the Constituent Assembly and this must have created an impression that India is comparatively at peace. But a subject country lying at the proud feet of the conqueror can be at peace only when some degree of real freedom has fallen to its lot. The acid test for such improvement is the release of political prisoners. In all countries circumstanced as ours, leaders have made this the condition precedent to entry into negotiation. When the late

Mr. Lloyd George offered terms to Mr. De Valera, the latter insisted on the release of political prisoners. Permit me, Sir, to quote the following from D'Alton's History of Ireland:—".....the proposals of the (British) Government went far beyond the provisions of the Government of Ireland Act, and were at least worthy of being discussed by the Irish representatives. For this purpose, the members of the Dail were released from prison. An exception however was made in the case of Commandant McKeown who was under sentence of death in Mountjoy prison. Like so many others he had been in arms and in one encounter lives had been lost, and it was for this that he had been court-martialled and sentenced. To exempt such a man from pardon and to send him to his doom while his colleagues were assembled in Dublin to talk of peace terms, would not help the cause of peace. And Mr. De Valera rightly interpreted the wish of public opinion when he declined to proceed further with peace negotiations unless Mr. McKeown was set free. In these circumstances Mr. Lloyd George overruled his subordinates and the gallant officer received pardon and freedom." A man who was convicted of manslaughter and was waiting to be hanged till death was thus set free. Here are people who have served long terms of imprisonment and have paid for their crime of patriotism but who were not represented at a time when negotiations were being carried on. Hence on the question of these long-suffering men my first grievance is against our national leaders, and then against the Provincial Ministry. If the leaders did their part, the pain and anguish of these worn-out patriots would have already ended. The late Sir Surendranath Banerjee worked ceaselessly for the release of terrorist prisoners some of whom were transported to the Andamans and men like Srijut Barindra Kumar Ghosh have freely acknowledged the services of the father of Indian nationalism who himself was the first political prisoner in India after the Sepoy Mutiny. If the present Congress with its creed of non-violence looks askance at the prisoners convicted of violence, I may point out that Surendranath with his well-known love, nay veneration, for constitutionalism did not think it improper to plead for those impulsive youths who had tried to free the country in their own way. Indian nationalism is a continuous stream gaining in volume since the anti-partition movement in Bengal and to look upon the prisoners subscribing once to violence as political *pariahs* will render the present day Congress liable to the charge of becoming a party caucus. My next grievance is against the Ministry. It ought to have realised that but for the sacrifice of those brave youths, however misguided or mistaken, India would be politically backward by half a century and no Ministry with all subjects transferred would be functioning in any Province of India. The future historian will record the suffering of periodically jail-filling politicians as nothing in comparison with what these men pining behind the prison walls for decades have undergone. They have set the standard of patriotic fervour regardless of consequence by which all else will be judged. Any Ministry of the soil of Bengal should remember with gratitude these Bengalee heroes and fight for their release. Sir, I may say in this connection that I have received a letter from a prisoner which I should read before the House. It runs thus:—

আমি এটা বাংলায় পড়ছি।

নির্বাচনের প্রাক্কালে এবং মন্ত্রীসভা গঠিত হইবার পর বাংলার প্রধান মন্ত্রী মিঃ সুরাবর্দী বলিয়াছিলেন, "বন্দি মুক্তি সম্পর্কে অন্যান্য প্রদেশের মন্ত্রীসভা যতটা অগ্রসর হইবেন, বাংলার মন্ত্রীসভা তাহা অপেক্ষা বিন্দুমাত্র পশ্চাতে পড়িয়া থাকিবে না।"

মন্ত্রীসভা গঠিত হইবার পর দীর্ঘদিন অতিবাহিত হইয়াছে। বোম্বাই, বিহার, যুক্তপ্রদেশ, প্রভৃতি, যে সব প্রদেশে কংগ্রেসী মন্ত্রীসভা গঠিত হইয়াছে, সর্বত্রই রাজবন্দীগণ মুক্তিলাভ করিয়া স্বাধীনভাবে জীবনযাত্রা সুরু করিয়াছেন। কারাগারে আজ আর কোন রাজনৈতিক কর্মী বন্দী হিসাবে নাই। কিন্তু বাংলায় শত শত রাজবন্দী আজও কারাগারে বসিয়া মুক্তির আশায় দিন গনিতেছেন; হয়ত বা লীগ মন্ত্রীসভার প্রতিশ্রুতি ভঙ্গে মুক্তির আশা ত্যাগ করিতেছেন। সারা বাংলায় সমবেত কণ্ঠে আজ তাই দাবী উঠিয়াছে--অবিলম্বে সর্বশ্রেণীর রাজবন্দীদের মুক্তি চাই।

আইনসভার জাতীয়তাবাদী সদস্যগণ বারে বারে এই দাবী সমর্থন করিয়াছেন; রাজপথে হাজার হাজার নাগরিক সমবেত কণ্ঠে এই দাবীই তুলিয়াছেন। বাংলার বীর বন্দীদের মুক্তির দাবী সকল দল, সকল সম্প্রদায় এবং সকল জননেতার সমর্থন লাভ করিয়াছে। তবুও বন্দীরা মুক্তি পাইতেছেন না কেন? দল ও সম্প্রদায় নির্বিশেষে সারা বাংলার অধিবাসী এই প্রশ্নের জবাব চায়। এই সমস্ত বীর বন্দিরা বাংলার রুদ্র আপন জন। ইহাদের লইয়া বাঙ্গালী গর্ব্ব অনুভব করে। সাম্রাজ্যবাদী অত্যাচারের বিরুদ্ধে বাংলার এই যুবকগণই প্রথম বিদ্রোহ করে। মৃত্যু ভয়ে ভীত না হইয়া লাঞ্ছনা ও নির্ম্মম অত্যাচার সহ্য করিয়া ইহারা বাঙ্গালীর দুর্ব্বলতা, ভীরুতা ও কলঙ্ক মোচন করিয়াছে। "স্বাধীন ভারত" ও "ভারত ত্যাগ কর" দাবী দীর্ঘদিন পূর্ব্বে ইহারাই প্রথম তুলিয়াছিলেন। কঠোর সংগ্রামের ফলে দেশ যখন আজ স্বাধীনতার দ্বারদেশে উপনীত, তখন স্বাধীনতা সংগ্রামের প্রথম সৈনিকরূপে যাহারা সর্ব্বস্ব ত্যাগ করিয়া ছুটিয়া আসিয়াছিলেন, তাঁরা কি আজও কারা প্রাচীরের অন্তরালে বসিয়া ধীরে ধীরে নিঃশেষ হইয়া যাইবেন? দেশবাসী তাহা সহ্য করিবে না। তাই এই মুক্তিদাবী। এই দাবী প্রার্থনা নয়, আবেদন, নিবেদন, দয়া ভিক্ষা নয়,--ইহা বাংলার জাগ্রত গণ-মনের আকাঙ্ক্ষা--সমবেত কণ্ঠের চরম দাবী--ইত্যাদি ইত্যাদি--

I have received this letter from a sufferer and I think it has voiced the public feeling of Bengal.

With these words, Sir, I recommend my motion to the acceptance of the House.

Mr. PRESIDENT: Order, order. Motion moved: That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the grave situation that has arisen in the country under its altered circumstances for not releasing the political prisoners of the Province.

Mr. NAGENDRA NATH MAHALANOBISH: Mr. President, Sir, it is a pity that we in Bengal are still thinking and discussing about the question of release of the political prisoners while other Provinces have already set free all their political prisoners. This was done within a few days of the assumption of Ministries in those Provinces. In Bengal the present Ministry came into power over 3 months ago and though some prisoners have been released these pre-reform prisoners are still rotting in jail. Our Ministers are thinking, they are considering, they are taking counsels, but still what they are doing is nothing short of procrastination. We are not going to brook this delay, because this procrastination, this delay, seems to me to be very very ominous.

Now, the prisoners who are still rotting in jail entered the prisons perhaps while they were quite young, in the prime of their life. Now, several years have passed by, they have all, perhaps, most of them, grown old and this imprisonment for what offence? Their offence is, as I understand, their love of the country, their anxiety to free India from the yoke of the British Imperialism. It was their fault for they wanted independence of India, and they had the courage to act up to their conviction. You may call them misguided, you may call them impatient idealists, but there cannot be the least doubt that they were sincere, they were the greatest patriots that India has ever seen.

Now, Sir, what possible reasons there may be today to detain them in prisons when circumstances have changed. You have got the declaration from the Prime Minister that India shall have independence either within or without the Commonwealth of Nations. Now under the circumstances that declaration of the Prime Minister was followed up by the Cabinet Delegation who had been here for several months discussing the method of handing over power to Indians. Now the question of independence is an admitted fact and we cannot for a moment consider that those who advocate the cause of independence for India would like that these political prisoners who championed the cause of independence should remain in the Indian prison-house. When the circumstances have changed, when the independence of India is near at hand, what doubt, what suspicion, can these Hon'ble Ministers have in setting free these persons? Why are they taking so much time to consider the propriety of their release? I submit, Sir, that, even

if you call them rebels, the rebels of yesterday are the rulers of today in every country. We have found that it was the rebel who has built up any nation. They are to be found in America who laid down the foundations of the United States of America and succeeded in establishing a free and independent nation and today you find the United States of America as the first power in the world and the British people today approaching them for all sorts of assistance. They approached them during the anxious days of their lives unparalleled in their history and they saved themselves and the British Isles with the aid of the U.S.A. They have since realized and realized at their cost that it is no use keeping other Nations under subjection and that the best policy is the policy of granting independence to all subject nations. And that is what prompted them to declare independence for India and if that has been done, then I do not see any reason, whatsoever, for the continued detention of these political prisoners. Sir, it is perfectly clear now that these people who had spread the idea of independence in the early days when perhaps there were very few who could venture to utter the word "Independence for India", those people who did that, who spread that idea are now in prison but their ideas have spread all throughout the country. Their ideas have been accepted by the 40 crores of people in India; their ideas have been accepted by the British people, by the British Government, by the British Prime Minister and they are all anxious to see how India can achieve her independence in as short a time as possible. If that is so, Sir, I do not see again why we in Bengal should try to keep them behind the prison bars. You must consider any further detention of these patriots as atrocity, as cruelty, as tyranny. I think our Hon'ble Ministers will take into consideration the fact that they cannot possibly detain these people till the last days of their lives. Some of them or most of them were tried, convicted and sentenced and they have suffered long, very long terms of imprisonment. I do not know the exact technical reasons which weigh with the Government for the delay in releasing these politicals. We know transportation for life and other long sentences can be relaxed in certain cases and under certain conditions, but, I am told that these prisoners are not going to be set free because transportation for life in their cases means transportation for life. I would ask the Hon'ble Ministers to take a lesson out of the chapters of the trials that are taking place in Nuremberg and in Tokyo where such cruelties, such atrocities are being tried and punished. If you detain them a day longer, you will be held responsible for such cruelty, such tyranny. It is against human justice, against natural justice to punish people for their political opinion, for opinion which has now been accepted by all responsible for the Government of India.

You may perhaps defeat this motion by what you call "brute majority" but I may tell you that you will be held responsible for the cruelty, for the tyranny in detaining them. I, therefore, ask our Hon'ble Ministers to consider very carefully the real position as regards these political prisoners and then see whether their detention is necessary under the altered circumstances of the country, or for the matter of that, of the whole world. With these words I support the motion before the House.

Mr. LALIT CHANDRA DAS: Sir, I rise to support this censure motion, for I look upon the motion as a censure motion, although Mr. Majumdar, the mover of the motion, would not like to call it so. Most adjournment motions are in the nature of censure motions and I think this motion to be particularly so. Sir, revolution is a crime when it fails, but it is the greatest virtue when it succeeds. The names of Robespierre and his fellow-revolutionaries who overthrew the French Monarchy and established Democracy have been written in letters of gold in the history of France. The Bolsheviks who wiped off all traces of Czardom and established Soviet republics in all Russia now live in the pages of world's history and will

live for all time to come, as the saviour of Democracy. The Right Hon'ble Mr. Lloyd George, while Prime Minister of England, held out the olive branch of peace to the Irish rebels and shook hands with De Valera and other leading revolutionaries while their hands were reeking with English blood. This is history which not even the League Ministry can deny. Long live the Bengal Revolutionaries. Their names will live for all time while those of most of the members of the Treasury Benches will be forgotten. It is these political prisoners who, by their blood and their sufferings, have brought about these changes from time to time to the administrative set-up of the Province, which have enabled the stalwarts of the Muslim League to seize power, and to strut and foam in their mouths. It is by their suffering, Sir, that we now stand on the threshold of independence. Should any one of them at this moment continue to rot in jail? It was said of Julius Cæsar "Ingratitude more strong than the traitors' arms quite vanquished him". I say, Sir, that it would be the height of ingratitude on the part of the Ministers who call themselves popular to keep these people in incarceration on any pretext, whatsoever. That would be the cruellest blow on them. If anybody has got the right of first entry into the Hall of Liberty and to offer incense to the goddess, that right must be conceded to those earnest and long-suffering devotees, known as the political prisoners. Sir, Congress Governments realised this: With them, it was not a question of individual examination of cases. It was a question of releasing them *en masse*, and this they did in spite of gubernatorial dilatoriness, obstruction and opposition. I ask, Sir, what is Bengal doing? It will be said that many detenus have been released. Yes, the detenus taken under the Defence of India Rules have been released and some of the convicted political prisoners too have been released and some of the Pre-Reform political prisoners too, but at the same time it must be admitted that a large number of them is still rotting in the jails. I ask why should a single one of them at such a time be behind the prison bars? To our shame the Hon'ble Chief Minister talks of examination of individual cases. With him it is not a case of *en masse* release. What will this examination yield? I say that this examination may yield only one thing and one thing only, namely, that it will show that a determined effort was made by these political prisoners to free India by overthrowing British Imperialism. Be it remembered in this connection, Sir, that British Imperialism is nothing but the blood brother of Fascism and elder brother too. To British Imperialists, such an attempt to free India was heinous, but in the eyes of the Indian, it was glorious and, as I suppose, our Chief Minister unlike Mr. Jinnah will not deny that he is an Indian, in his eyes too, in the eyes of the Hon'ble Mr. Suhrawardy this attempt must be glorious. Sir, British Imperialism is on its last legs in spite of the frantic efforts of Churchills and Amerys to hold what they have. Independence is in full view. A Constituent Assembly is about to sit to draw up a constitution of free India, in spite of what the Muslim League will do or may not do. Even if the Constituent Assembly fails, independence will come in spite of ourselves and the Britishers will leave us either in peace or in civil war. That is the world situation, or a third world war will follow. At such a time the talk of examination of individual cases is but the talk of henchmen of British Imperialists and of Indian bureaucrats. Sir, it cannot be the language of an Indian patriot now put at the helm of Bengal's affairs. Sir, what is Chittagong Armoury Raid before the exploits of I.N.A. which reached up to Kohima? I ask, what clog was created by the prisoners of the interprovincial or Tittagarh conspiracy cases and other cases in the administrative wheel of the British Raj that by suffering incarceration for over 14 years even they could not as yet expiate their offence. The British Raj smothered and continued to smother freedom of speech and freedom of association by the heavy roller of repression before which Belsen methods paled into insignificance. Sir, is the example of I.N.A. lost to the Chief Minister? I appeal from Philip drunk to Philip sober. I appeal from power drunk the

Hon'ble Mr. Suhrawardy to plain Mr. Suhrawardy who not long ago led a mammoth procession of Moslems and non-Moslems around the Dalhousie Square crying slogans and demanding the release of I.N.A. convicts. Sir, the other day a similar procession came out and in the front of this very Chamber held demonstrations before the very eyes of the self same Suhrawardy urging the immediate and unconditional release of all political prisoners. I urge on him to do unto others as he would be done by. Sir, I urge on him to do in respect of the Bengal political prisoners exactly what he wanted the Government of India to do in respect of I.N.A. prisoners. Lastly, Sir, I wish him to remember that if these unfortunate prisoners instead of being non-Leaguers had been Leaguers and he had hesitated to release them or put forward as a reason for delay examination of individual cases, his *gadi* would not have been worth even a day's purchase.

Mr. BIREN ROY: Sir, I associate myself with the views expressed by my honourable friend, Mr. Lalit Chandra Das and treat this motion as a censure motion on the Government. Mr. Majumdar, the mover of the motion, has not described the altered circumstances and the grave situation which has arisen. Whatever be the altered circumstances, he might have thought about the Constituent Assembly, the circumstances have altered very much. Today the rebels of the British Government are members of the Muslim League. The Muslim League delivered the threat that they would fight tooth and nail the award of the British Government and, if necessary, both the Congress and the British Government for achievement of Pakistan. They are here now in this House to keep the political prisoners of the British Government perpetually in jail and they are not going to declare that they will release them. They have renounced their titles bestowed by the British Government. It is simply bluff and bluster, and they might again withdraw their renouncement of titles just as they withdrew their acceptance of the Constituent Assembly. Are they going to ask their nominees in this House, their sycophants, to renounce their titles? We expect that they will not only talk about the release of the political prisoners but they will release them without delay. In this altered situation where the Muslim League has turned revolutionary and the rebels against the British Government and are working out sovereign Pakistan—who should be their political prisoners?—not those certainly who so long fought the British! Give a new meaning to the term "political prisoners" of tomorrow in Bengal. Find out for yourself who will be the political prisoners in this country of yours—those who are trying to perpetuate disunity among the different sections of the country and thereby profit themselves by exploiting the masses. Either abolish or employ your Intelligence Branch and the Special Branch against those who are going to fight the real revolutionaries as you pretend to be. Hindus will not grudge it. But the Leaguers know in their heart of hearts that they only want to talk, write and shout to achieve cheap notoriety. Tomorrow you will be again hand in glove with the people who are here to exploit this country, this Province of ours and set all kinds of Intelligence Branches against the Hindus and others whom you always think out to rule you. They are not out to rule you or anybody. As popular Ministers you should set at once those people at liberty who have made the conditions favourable for bringing you to this privileged position of ruling this country. You may achieve your sovereign Pakistan here in Bengal, but don't lend your hand in bringing people from other places to exploit us.

With these words, Sir, I support the motion.

Mr. HAMIDUL HUQ CHOWDHURY: Mr. President, Sir, but for the observations of Mr. Roy I was almost feeling that I had no occasion to speak on this motion. So far as the Muslim League party members are concerned, they stand on a different position today than they were on the 29th July. We cannot say what would be our attitude tomorrow. Mr. Roy

has said that the party in power today is responsible for keeping the prisoners in jail. (Mr. BIREN ROY: I did not say that.) Sir, we have much sympathy for those who are being kept in detention. Mr. Majumdar has said that he has brought this motion not as a censure motion. He cannot do it for obvious reasons. These poor prisoners are there for more than 14 years. They had already suffered their normal period before the 18 months when our friends now in Opposition were in power. There were no adjournment motions at that time. (Mr. NAGENDRA NATH MAHALANOBISH: Altered circumstances were not there.) At that time it was the Government of Mr. Fazlul Huq and his coterie that ruled in Bengal and they left after they had succeeded in bringing the Province right into the biggest disaster, namely, the famine of 1943. They left as cowards when they found that the Province was going to be devastated by a terrible blight. The so-called friends of these convicted persons suddenly woke up from their long slumber of 18 months. It is sheer hypocrisy that when you could get them out you never said a word for them and now that others have to do it you are trying to secure all the credit by criticising the Government with those who are waiting outside and hearing you. You remained in the Ministry for 18 months and still allowed these people to rot in jail. So far as we are concerned, it is a matter of indifference to us today who keeps them in jail. We have not put them in jail and it shall not be our responsibility because they continue to rot in jail. Some may agree with the line of action chosen by these politicals and some may not. It is the Government that will decide on the question of their release. As far as I am concerned I cannot make a decision either way. But as far as Mr. Das's opening remarks are concerned, while speaking on this adjournment motion, that this motion is a censure motion on the Government I do not agree and to attempt to censure the Government on this issue is futile and absurd.

Mr. BANKIM CHANDRA DATTA: Sir, for the last 8 or 9 years this side of the House was crying hoarse for the release of political prisoners and I do not think Mr. Hamidul Huq Chowdhury is right in suggesting that there was no voice of protest against such political prisoners rotting in jail. Sir, World War No. II came upon us and a very handy weapon was discovered in the Defence of India Rules and these Defence of India Rules were used and abused for all possible purposes. At that particular point of time we were all feeling that the enemy was at the Eastern front but the then Ministry found out another front in Howrah and they tried to supersede the Howrah Municipality under the Defence of India Rules. Fortunately for us, the Learned Judges of the High Court set them right. But, Sir, all these times, whenever the question of release of political prisoners was raised, the Government took the plea that the war was on and therefore it was not advisable to release these political prisoners although they have solemnly abjured violence. The war is over and I think it is about a year now and yet you are not releasing such prisoners, the great fighters for the liberty of our country and they are still rotting behind prison bars. They had served out their periods of sentence but all the same in spite of repeated promises nothing has been done to release these prisoners. Sir, in any other country these martyrs would not only have been honoured but worshipped as heroes. Unfortunately for this helpless land of ours, nothing is being done to release them. There is not only no recognition for the selfless services rendered by these great patriots, these immortal heroes who have laid down their lives for the sake of the country but on the other hand this Ministry is still "thinking" about their release and examining their cases and it appears from the delay that the Government are not willing to see these persons are released. Sir, history is full of instances to show that the rebel of today is the ruler of tomorrow. I think my previous speakers have made it quite clear that this Ministry should not forget that they owe their present position to these persons whom we still find rotting in jail and whose release is immediately called for. The Ministry ought

to be grateful to them for all they have done. Ungratefulness and ingratitude cannot go further. I would therefore request the Hon'ble Ministers to bear in mind that there is such a thing as Nemesis and that if they do not take the lessons of history to heart they will find that one day this Nemesis has overtaken them, and they will find themselves utterly helpless. Let us not forget that Mahatma Gandhi or Azad or Nehru who were regarded as untouchable rebels by the British Government only two years ago should now be consulted by the Viceroy and by the Cabinet Mission about the Constitution of India. I would therefore request the Government once for all not to forget this great lesson but to bear in mind and take to heart the lessons of history and once they do that the whole country will bless the Ministry but if they ignore these demands, they will only have to thank themselves for the consequences of their action.

Alhadj Khan Bahadur SHAIKH MUHAMMAD JAN: Sir, I rise to support the adjournment motion moved by my friend Mr. Haridas Majumdar regarding the release of political prisoners who are rotting in jails for more than ten years. The other day the Hon'ble Chief Minister promised to the other House that he would look to the files of each and every prisoner and pass the order of their release, or otherwise in the next two months and this shows the callousness and utter disregard of the present popular Ministry to the sufferings of those persons but for whose activities they would not have found themselves in the places where they are today. Sir, when the Congress Government in nine Provinces came to power, they released all political prisoners, even those who were convicted of murder of Canadian officers who were suspected of bombing innocent villagers in Bihar. Of course the Leaguers protested against this and sided with people with whom they had nothing to do, namely, with foreigners. They had no sympathy for their own countrymen. Of course it is very unfortunate that in two Provinces, namely, Bengal and Sind, where the Muslim League with the help and co-operation of the European Members of the Assembly have managed to come to power, they do not show even an iota of sympathy or kindness for those who are rotting in jail for more than 10 years. It is a great pity that the League does not understand what struggle is and what jail-going is. It is true that they have passed a resolution to launch a struggle and I long to see the day when they will launch the struggle and create a new history in India, but I do not believe that they will ever do that. In spite of fiery speeches delivered at Bombay that they will do this or they will do that they have only renounced their titles and according to Jamal Mia, a League Maulana Sahib, the real test is resignation from the Legislative Assembly and Council and thus show their real desire to launch a struggle. Mr. Noon among other things said at Bombay that let Congress, of course Hindu Congress, make the British quit India and they will sit tight all this while and after that will fight the Congress. But he fails to understand that if Congress is powerful enough to drive the British out of India then what will they think of disposing of the Musalmans of India? Will there be a fight between veteran soldiers and raw soldiers after the Britishers have left the country? And this will certainly be an uneven fight. I may add that in order to prove their sincerity it is the duty of the League Government to release the present political prisoners so that future political prisoners may also find same kindness and consideration for them.

Mr. SYED BADRUDDUJA: Sir, I rise to support the adjournment motion moved by my friend, Mr. Haridas Majumdar. Unfortunately, Sir, I missed some of the speeches delivered this afternoon by honourable members on both sides. I could only catch the refrain of the song of my honourable friend, Mr. Hamidul Huq Chowdhury. While discussing the adjournment motion, he was casting reflections on the Government of Mr. Fazlul Huq. It is neither the time nor the place to enter into a controvery over this

question, nor is it necessary to introduce any heat in discussing a motion like this. But, Sir, while so earnestly pleading for the immediate release of these prisoners I have not the slightest hesitation in declaring on the floor of the House that I subscribe neither to the policy nor to the programme, far less to the method, adopted by them for the achievement of their objective. Sir, it is not in a spirit of carping criticism that I am discussing this question. I am making a fervent appeal to my friends opposite to consider this question favourably in all its implications and significance. They too are the representatives of the people and there is a persistent demand from the very people they represent for the release of these patriotic sons of the soil. Sister porvinces all over India are vying with each other for the release of the political prisoners in their respective provinces. The present Ministry also has already released all the security prisoners and a few terrorist convicts as well. The other provinces have, however, released all prisoners without any discrimination between one category and another. I do not make it a party question when I ask for their release, nor do I view this question from the point of view of this particular group or other, when I plead for the release of those who are rotting behind the prison bars since before the days of the Reforms, some of them having already served terms of imprisonment varying from 15 to 25 years.

But, Sir, what is the psychology that lured these impressionable youths into dangerous paths; what after all was the motive behind the course adopted by these young men, what was it that goaded them on to uncontrollable frenzy of desperation and cut them off from the real moorings of life? There must be something significant, something remarkable which created in them that insatiable thirst for freedom, that urge for the political emancipation of the country and its reconstruction on a new basis. They must have been obsessed with a fanatical zeal when they realised that they were helots in their own country and that one cataclysm after another, revolution after revolution, shock after shock, one degrading measure after another paralysed their own country, sucked it dry and dragged it down from the height of eminence and glory to the depths of degradation and humiliation. They felt that they too had a right to shape the destinies of their own country, determine their own course of action and contribute to the political and social evolution of their motherland.

But, Sir, if we have to condemn the violence of these people, we have got to condemn in no uncertain terms the civilized madness and the refined frenzy of all the oppressors of the world since the beginning of time, and condemn as well the violence of Governments and empires. Sir, during the last Great War of 1914-18 Mr. Lloyd George and other statesmen of Europe and during the present war Mr. Churchill and many other statesmen of international repute wanted to make the world safe for democracy, always demanding blood, toil and tears of millions in the fight for democracy. But we had the first lessons of democracy in Syria just after the last Great War when the French General Serail bombed out of existence at least 50,000 Mussalmans in a few hours and immediately after the present war Mussalmans of Indonesia were singled out for a special treatment by Mr. Churchill and other War Lords of England. Thanks to their conception of democracy, thousands of innocent Muslims of Indonesia had to pass through a baptism of blood and fire at the point of the British bayonet and all this not to consolidate the position of Britain in the East, but to tighten the grip of Dutch imperialism in Indonesia.

Coming to the subject-matter, if, Sir, I plead for the release of these terrorist prisoners, I do so, not in a spirit of adverse criticism, but in a spirit of amity and brotherhood. I would appeal and, if necessary, appeal with folded hands to release these political prisoners without any further delay. The other provinces have already released these prisoners without any discrimination. The Hon'ble Mr. Saheed Suhrawardy who happens to be Home Minister and Chief Minister of this Province has already shown a

commendable spirit in having released all the security prisoners. We only hope and pray that he should take courage in both hands, release the rest of the prisoners and thus create an atmosphere congenial to the growth of democracy and democratic institutions in this land.

After all, Sir, we Hindus and Muslims have to live side by side in this country; we Hindus and Muslims have to adjust our conflicting interests and reconcile our divergent claims in the best possible way. It is really unfortunate, Sir, that whenever any attempt at solution of the Hindu-Muslim problem has been made, the communal bubble has always burst, revealing to the world the most combustible substance of racial hatred and antagonism that lies beneath the apparently calm political surface of India. But whatever may be the differences among the various communities in India, leaders of all shades of political opinion in the country should come forward, sink all their differences for the time being and demand the immediate release of these political prisoners. They should do so here and now.

Mr. Hamidul Huq Chowdhury referred to the decision of the Muslim League on the 29th of July and emphasised that they had to face today a situation entirely different from what it had been on the 29th of July last. We assure him, Sir, that we sympathise with him. They must not rest on their oars, but move seriously. If necessary, they should go to the fullest possible length and assert their rights and demand them from the Britishers. Far be it from us that we should create any obstacle in the path of those who are striving hard to escure their inviolable rights. Nor do we propose, Sir, to embarrass the present Government of Bengal. It is Providence that has placed them at the helm of affairs. Let them utilise their position fully and not abuse it. In the name of humanity, justice and fair play we would appeal to them to utilise the opportunities placed at their disposal to the fullest possible advantage of the people of this country. We would appeal to them further to create an atmosphere for ushering in freedom of India at no distant date.

At a time when even the Britishers are prepared to transfer power to our own representatives, we should not in any way complicate the situation and thus postpone the day of our salvation. The new atmosphere in the country calls for immediate release of these political prisoners. They should be set at liberty in no time.

With these words, Sir, I support the motion.

Mr. MOAZZAM ALI CHOUDHURY : সভাপতি মহোদয়, আজকে যে আলোচনার সুযোগ আমি পেয়েছি সেই আলোচনায় যোগ দিতে গিয়ে ব্যক্তিগতভাবে আমার নিজের দুএকটি কথা বলার পর মুসলিম লীগ পার্টি'র সদস্য হিসেবে মুসলিম লীগের যে নীতি এই বন্দীমুক্তি সম্বন্ধে, সে সম্বন্ধে দুএকটি কথা আমি বলতে চাই। আমার অত্যন্ত আনন্দ হচ্ছে এই জন্য যে মিঃ হরিদাস মজুমদার আজকে মুসলিম লীগ পার্টি' এবং মুসলিম লীগের সদস্য হিসাবে এই বন্দী মুক্তি ব্যাপারে আমরা কতটা কি করেছি এবং কতটা করতে চাচ্ছি সে বিষয়ে বাইরের জগৎকে জানাবার জন্য ও পরিচিত করবার জন্য সুযোগ আমাকে দিয়েছেন। ব্যক্তিগতভাবে যারা আমার রাজনৈতিক জীবন--১৯৪৩ সালের নবেম্বরের আগের রাজনৈতিক জীবন সম্বন্ধে জানেন, তাঁরা অবশ্য এটাও অবগত আছেন যে একবার নয়, দুবার নয়, চার বার নয়, অন্ততঃ ছয় সাত বার ব্রিটিশের কারাগারে বন্দী হিসাবে আমাকে দিন কাটাতে হয়েছে। শুধু তাই নয়--আজ যে সমস্ত বন্দীর মুক্তি আলোচনা এখানে করা হচ্ছে, ছমাস এই সমস্ত বন্দিদের সঙ্গে একত্র এক জেলে আমি বাস করে এসেছি। তাদের ভিতরে আজ কয়েকজন বাইরে আসতে পেরেছেন, আরও অনেকে এখনও জেলে রয়েছেন। শুধু তাই নয়--এই কথাও হয়ত অনেকে জানেন না যে বন্দীমুক্তি আন্দোলনের ভিতর যে সমস্ত কর্মী অংশ গ্রহণ করেছেন আমিও তাদের একজন। পলিটিক্যাল প্রিজনার্স রিলিজ কমিটির জয়েণ্ট সেক্রেটারী হিসেবে বন্দীমুক্তি আন্দোলনের জন্য, ১৯৪৬ সালে সর্ব্ব প্রথম যে জনসভা হয়, আমিই তার আয়োজন করি। সুতরাং আজ আমার অপর দিকে যারা বসেছেন, যারা এই প্রস্তাব এনেছেন, তাদের বিশেষ করে আমি এই কথাই জানাতে চাই যে শুধু ঐদিক থেকে এই প্রস্তাব উপস্থিত হয়েছে বলেই এই বন্দীমুক্তি বিষয়ে গভর্ণমেণ্ট বা মুসলিম লীগের পক্ষ থেকে কোন রকম সহানুভূতি

তাতে নেই, একথা যদি তারা মনে করে থাকেন, তবে সেকথা সম্পূর্ণ ভ্রান্ত। আজ তা সত্ত্বেও আমি জানি এবং স্বীকার করছি এ পর্য্যন্ত সমস্ত বন্দীদের মুক্ত করতে আমরা পারিনি। সমস্ত বন্দীদের যখন আজও বাইরে আসার সুযোগ হয়নি, তখন তার জন্য আন্দোলন করবার তারা সম্পূর্ণ অধিকারী। কিন্তু সঙ্গে সঙ্গে কয়েকটি বিষয় আমি বিশেষ করে আজ আপনাদের জানাতে চাই। আর সেটা হচ্ছে এই যে মুসলিম লীগ গবর্ণমেণ্ট মাত্র তিন মাস হয়েছে এই নূতন মন্ত্রীমণ্ডলী গঠন করে কার্য্যভার গ্রহণ করেছেন। আমার বন্ধু মিঃ হামিদুল হক চৌধুরী যে কথা আগে বলেছেন যে, এই সমস্ত বন্দী যারা দীর্ঘ মেয়াদী বন্দী তাদের ৩০ জন জেলের ভিতর রয়েছেন--এই ৩০ জন কবে বন্দী হয়েছেন? সত্যি যদি বিচার করে দেখা যায় তাহ'লে একথা আমাদের বলতে হবে এবং বলতে আমরা বাধ্য যে, ১৯৩৭ সালের বিফর্ম্ম আসবার বহু পূর্ব্বেই এরা জেলের অন্তরালে স্থানলাভ করেছেন। এবং শুধু তাই নয় এর পূর্ব্বে চার পাঁচটি মন্ত্রীমণ্ডলী গঠিত হয়েছে এবং চার পাঁচটি মন্ত্রী মণ্ডলী চলে গেছে। নূতন করে ইলেকশন হবার পর এমন মন্ত্রীমণ্ডলী গঠিত হয়েছে এমন মন্ত্রীমণ্ডলী কাজ করে গেছেন যার ভিতর মিঃ ফজলুল হক, ডাঃ শ্যামাপ্রসাদ মুখোপাধ্যায়, কংগ্রেসের এক অংশ ফরওয়ার্ড ব্লকের যে নেতা মিঃ সন্তোষ কুমার বসু ও মিঃ তুলসী গোস্বামী এরাও সেই মন্ত্রীমণ্ডলীতে কাজ করে গেছেন, কিন্তু সে সময় কারও মুক্তিলাভ হয়নি শত চেষ্টা সত্ত্বেও। আর যে কাজ কংগ্রেস গভর্ণমেণ্ট করতে পারেনি ১৮ মাসের ভিতর, মাত্র তিন মাসের ভিতর মুসলিম লীগ মিনিষ্ট্রী যে মিনিষ্ট্রী কোন কোয়ালিশন বা এ রকম কোন বন্দোবস্ত করেনি, যে মিনিষ্ট্রী প্রিন্সিপ্যালি মুসলিম লীগ মেম্বরদের দ্বারা গঠিত, সেই মিনিষ্ট্রী আজ ৮৯ জন বন্দীকে মুক্ত করেছেন। ডেটিনিউ আরও ১৬ জনের লং টার্ম প্রিজনার তাদের মুক্তি দান করেছেন--মাত্র তিন মাসের মধ্যে। শুধু তাই নয়--আপনারা অনেকে হয়ত জানেন না--হয়ত খবরের কাগজে দেখেছেন যে মুসলিম লীগ পার্টির সদস্যরা এতে সহযোগিতা করেছেন। প্রধান মন্ত্রীর কাছে আবেদন জানিয়েছেন। প্রথম সভা যখন মুসলিম লীগ পার্টির হয়, সেই প্রথম সভাতেই মুসলিম লীগের ৮০ জন সদস্য এই বন্দী মুক্তির জন্য প্রধান মন্ত্রীর কাছে আবেদন জানিয়ে ছিলেন। কাজেই আজ একথা বলা চলবে না, বাইরের আন্দোলনে, বাইরের গোলমাল বা ডিমনষ্ট্রেশন দ্বারা প্রভাবান্বিত হয়ে মুসলিম লীগ মন্ত্রীমণ্ডলী বাধ্য হয়ে বন্দীদের মুক্তিদান করছেন। একথা মনে করলে সেটা ভুল হবে। যদি কেহ মনে করে থাকেন বাইরের চাপে প্রভাবান্বিত হয়ে বা ভয়ে ভীত হয়ে বন্দীর মুক্তি তারা দিয়েছেন, তাহলে ভুল হবে। বাস্তবিক মুসলিম লীগের ভিতর এমন লোক রয়েছেন, মুসলিম লীগ মন্ত্রীমণ্ডলীর ভিতর এমন সদস্য রয়েছেন, যারা মনে প্রাণে বিশ্বাস করেন এই যে বিনা বিচারে যাদের বন্দী করে রাখা হয়েছে বা নামমাত্র বিচার করে যাবজ্জীবন কারাদণ্ড দেওয়া হয়েছে আইন মত যাদের ১৪ বছর পরে মুক্তি পাওয়া উচিত। কিন্তু অনেকের ১৪ বছর, অনেকের ১৮ বছর পর্য্যন্ত কারাগারে বাস হয়ে গেছে। তারা বিশ্বাস করেন, এদের অবিলম্বে মুক্ত করা উচিত (Cheers)--যারা দেশের স্বাধীনতার জন্য চেষ্টা করেছেন, সর্ব্ববিধ ত্যাগ স্বীকার করেছেন, তাদের কারা-প্রাচীরের অন্তরালে আটক রাখা অনুচিত। (Cheers)। সেই জন্যই তারা স্বতঃপ্রবৃত্ত হয়ে এই চেষ্টা করেছেন যাতে তাদের মুক্ত করা যায়। তার ফল কি হয়েছে আপনারা দেখেছেন। বলা হয়েছে কংগ্রেসী প্রদেশে ও অন্যান্য প্রদেশে তারা সমস্ত রাজনীতিক বন্দিদের মুক্ত করে দিয়েছেন। সেটা অবশ্য ভাববার কথা। তারা কাদের মুক্ত করেছেন? কংগ্রেস নেতাদের মুক্ত করেছেন--আগষ্ট আন্দোলনের সময় কংগ্রেসের নির্দ্দেশে যারা জেলে গেছেন, তাদের মুক্ত করেছেন। উহাদের কতককে হয়ত তারা করেছেন কিন্তু উহাদের বেশীর ভাগ কংগ্রেস গভর্ণমেণ্ট হবার আগেই মুক্ত হয়ে গিয়েছিলেন। কংগ্রেস গভর্ণমেণ্ট, নিজেদের পার্টির সদস্য তাদের সমর্থক যারা, তাদের মুক্ত করে দিয়েছেন। আর মুসলিম লীগ মুক্ত করেছেন কাদের? কংগ্রেস ও মুসলিম লীগের ভিতর যে রাজনৈতিক বীরোধ রয়েছে, সেটা অস্বীকার করা যায় না--তাদের ভিতর যে রাজনৈতিক মতভেদ বা পার্থক্য রয়েছে সেটা অস্বীকার করবার উপায় নেই। কিন্তু তা জেনে শুনেও তারা মুক্ত করে দিয়েছেন তাদের, যাদের অনেকে বেরিয়ে এসে মুসলিম লীগে গভর্ণমেণ্টের down-fall জন্য চেষ্টা করবেন। এটা জেনে শুনেও তাদের মুক্ত করেছেন। একথা আজ ধীরচিত্তে বিবেচনা করা দরকার। আর একটা বিষয় বিশেষ করে বলতে চাই। সেটা হচ্ছে--প্রধান মন্ত্রী সাহেব সেদিন প্রতিশ্রুতি দিয়েছেন যে তিনি এই বন্দীমুক্তি বিষয়ে আপনাদের দাবী ভাল করে বিবেচনা করে দেখছেন। অনেককে তিনি মুক্ত করেছেন এবং বাকী সবাইকে মুক্ত করবার জন্য চেষ্টা করছেন। ১৫ই আগষ্ট তারিখ দিয়েছেন--তাঁর এ বিষয়ে সিদ্ধান্ত ঘোষণা করবেন। এ সম্বন্ধে আমি বলতে চাই, যে সময় আমরা মুসলিম লীগ পার্টির সদস্যরা চেষ্টা করছি এবং গভর্ণমেণ্টের উপর বিশেষ করে হোম মিনিষ্টারের উপর চাপ দিচ্ছি, এই বন্দীমুক্তি দাবী পূরণ করবার জন্য, এমন সময় যদি এমন ঘটনা ঘটে যার ফলে বিঘ্ন উপস্থিত হতে পারে, তেমন কাজ আশা করি আপনারা করবেন না। একটা বিষয় আমি এখানে উল্লেখ করতে চাই--এই মুক্ত রাজবন্দীদের ভিতর একজন বিশিষ্ট রাজবন্দী--যিনি কিছুদিন পূর্ব্বে মুক্ত হয়েছেন।

তাঁর ঢাকা যাওয়া উপলক্ষে যে রিসেপশন ও ডিমন্‌ষ্ট্রেশনের বন্দোবস্ত হয়, সেখানে প্রসেশন চলবার সময় এমন ঘটনা ঘটে যার ফলে হিন্দু-মুসলমান দাঙ্গার সূচনা হয় এবং তার ফলে হিন্দু-মুসলমান অনেকের প্রাণ হানি ঘটে। আমরা চাইনা--যাদের মুক্ত করে আন্‌ছি, যারা ইংরেজের বিরুদ্ধে সংগ্রাম করতে নিজেদের আত্মাহুতি দিতে প্রস্তুত, সেই বীর পুরুষদের আমরা বাইরে আন্‌তে চাই বটে কিন্তু তাদের বাইরে আসার পর যদি এমন ঘটনা ঘটে যাতে হিন্দু-মুসলমানের বিরোধ সৃষ্টি হয়, তবে সেটা আপশোষের কথা সন্দেহ নেই। আমরা আশাকরি তাঁরা বাইরে এসে হিন্দু-মুসলমান বা কংগ্রেস-লীগের সংঘর্ষের ভিতর জড়িত না হয়ে নিরুপদ্রব ভাবে, যাতে দেশে শান্তি আসে, স্বাধীনতা আসে, হিন্দু-মুসলমান উভয়ে দেশে বন্ধুভাবে বাস করতে পারে, তার জন্য চেষ্টিত হবেন। কিন্তু যদি এমন ঘটনা ঘটে যে তাঁরা বাইরে আসার ফলে হিন্দু-মুসলমান বিরোধ, রক্তারক্তি, ভাইয়ের বুকে ছুরি বসান প্রভৃতি সংঘটিত হয়, তার চেয়ে বেশী দুঃখের কথা কিছুই থাকতে পারে না। আমি বলতে চাই, আমি ব্যক্তিগত ভাবে জানি আজও যারা বন্দী হয়ে আছেন--তাদের বিষয়ে আমি বিশেষভাবে জানি--আমি বিশ্বাস করি সত্যই আমরা দেখতে পাব, আজ যদি তারা মুক্ত হয়ে আসেন তাহলে.....

Mr. PRESIDENT: Mr. Chowdhury, your time is up.

Mr. AMULYADHONE ROY: Sir, I am sorry for having severed my connection with my friends of the Congress Parliamentary Party, but I am glad to tell you, Sir, that it does not relate to any matter in which I am personally concerned. It has its bearing on the very existence and freedom of a large section of Indians, commonly known as depressed classes. I am sure my colleagues in the Congress Benches will suppress their sentiments in the same way as my letters concerning the declaration of the policy to be followed in the Constituent Assembly and in the future constitution by the Congress towards the scheduled castes were suppressed by the foremost leaders of the Congress including Mr. Gandhi. In spite of this fact if members of the Congress benches jump up to defend themselves without pleading guilty, I hope, I shall have occasion in future to paint them in their true colour. The Congress should have done me the common courtesy of accepting my letter of resignation in order to prove whether I am a villain or a knave—in order to prove whether I have betrayed the Congress or the Congress has betrayed the scheduled castes.

Mr. PRESIDENT: Mr. Roy, you are not relevant. You are discussing adjournment motion and it has nothing to do with what you are saying.

Mr. AMULYADHONE ROY: Mr. President, Sir, you are perfectly aware that I formerly belonged to the group of the Congress Parliamentary Party. Now, Sir, the country and the House should know whether I am guilty or the Indian National Congress. That is why I am submitting this point of view and I think I am relevant. However, I shall go by your inclination——

Mr. PRESIDENT: Mr. Roy, you are only lossing your time.

Mr. AMULYADHONE ROY: Thank you, Sir. I shall make it up. Now with these preliminary observations I come to the motion under discussion. I have the fullest sympathy with the political prisoners who go to the jail for the freedom of the country. I love them, I respect them in the same way as the Congress does, and, I hope, there is no dispute, no controversy on this point between myself and the members of the Congress benches. Having no disagreement on this fundamental question may I now ask the honourable members of the Congress Benches what is the policy of the Congress High Command towards the non-violent scheduled castes Satyagrahis now going to jail to protest against the combined treachery of the Cabinet Mission and the Congress. (Mr. Lalit Chandra Das: Sir, he is still bringing in irrelevant things.) Sir, I want to know whether Mr. Das wants to know the relevancy of this matter. Reports of bayonet charge on the peaceful demonstrators by the Congress Government of Bombay, news of hunger-strike for the misbehaviour of the jail authorities under Swaraj rule, throwing of stones on the peaceful

volunteers by the members of the majority community and holding of trials within the prison bars are all forthcoming in this province without any contradiction on the part of those against whom these allegations are now made. The Prime Minister of Bombay, Mr. Kher, has openly declared that whatever may be the legal position these demonstrations must be put an end to if Government is to exist. In other words, the Congress Minister of Bombay——

Mr. PRESIDENT: Order, order, Mr. Roy, it is not the practice to criticise the action of any Ministry in the other provinces.

Mr. AMULYADHONE ROY: My point is——

Mr. PRESIDENT: Whatever may be your point you must be relevant.

Mr. AMULYADHONE ROY: Sir, how can I submit to you the relevant issue that the Congress stands self-condemned unless I can speak out my mind.

Mr. PRESIDENT: Will you please listen——

Mr. AMULYADHONE ROY: I am prepared to listen to you.

Mr. PRESIDENT: You are criticising the action of the Congress Ministries in other provinces which you should not do.

Mr. HAMIDUL HUQ CHOWDHURY: In the opening speeches and in other speeches these points were raised.

Mr. PRESIDENT: No Ministry was mentioned in particular.

Mr. AMULYADHONE ROY: Sir, shall I go on with my speech?

Mr. PRESIDENT: Yes, go on.

Mr. AMULYADHONE ROY: Thank you, Sir. I am glad, Sir, that my friends in the Congress Benches have been overpowered.

However, as I was submitting Mr. Kher is determined to pursue a policy of outlaw for the protection of vested interests. Will my friends in the Congress Benches have courage to condemn the agents of the Congress for the policy of repression? If not, they have no sympathy for the political prisoners, they have no right to advocate the release of the political prisoners who will come out very soon as free citizens even without their moving the adjournment motion.

The Hon'ble Khan Bahadur MOHAMMED ALI: Mr. President, Sir, I must say at the outset that I am not in a very happy position in this matter because I am not directly concerned with the administration of the Home Department. The Hon'ble the Chief Minister is away from the Province and, therefore, I have risen to reply to the debate. Members of the Opposition have referred to the freedom of the country and to patriotism. Sir, I want to tell them that patriotism is not the monopoly of the Congress. In the matter of love for freedom and in the matter of love for unfettered civil liberty, the members on this side of the House do not yield to anybody. (Mr. NAGENDRA NATH MOHALANOBISH: Nobody challenges that). As proof of this I want to say that immediately on assumption of office by the present ministry all the security prisoners in detention were released, all of them without a single exception. The releases were complete by the middle of May of this year. Sir, that leaves us only with terrorist political convicts. So far as the terrorist convicts are concerned, the cases of all of them were reviewed and examined by the Hon'ble the Chief Minister and I think about 10 of them have already been released. (Mr. LALIT CHANDRA DAS: How many remain still?) There are, I think,

at present 30 terrorist prisoners in the Alipore, Dacca and Midnapo Central Jails. Their cases are also being examined by the Chief Minist and as he has already stated on the floor of the other House he is expeditin the matter and as already promised he will examine the cases individual and review the cases as sympathetically as possible. Now, Sir, there a other political prisoners. Their number, I believe, is about 59 who a confined in the different jails of the province. They were convicted f offences during the 1942 disturbances and even from amongst them son of the prisoners have been released on medical grounds. Now so far the convicted terrorist prisoners are concerned, two of them are now bein examined by the Medical Board as their health is reported to be not ve satisfactory and if the medical examination proves that their health is n satisfactory, then on medical grounds they may also be released but in rel tion to that I think the members of this House perhaps remember that t Hon'ble the Chief Minister in the premises of this building but outside t floor of this House made a very important statement and in course of th statement the Chief Minister said that by the 15th of next month (Augus he will not only examine the cases of the prisoners but he will intervie them individually and if he is satisfied that the release of these prisone will not in any way affect the peace and tranquility of the province, I will have no objection to their release. Now honourable members on t Opposition will realize that the question of release of security prisoners this province should not be treated as on a par with that in other province In the other provinces the prisoners who have been released were the part men of the Ministries now in power but the prisoners that have bee released by this Ministry do not belong to the party now in power an therefore, it must go to the credit of this Ministry that they have bee very progressive in their outlook and in accordance with that generou policy they have released the security prisoners without restriction. Si I have already said that the Hon'ble the Chief Minister is now away fro the province and he is likely to return this afternoon. And on his retur the proceeding of the discussions on this adjournment motion will b placed before him and I am sure that the Hon'ble the Chief Minister, he has already declared, will consider this matter very sympatheticall and in view of this I shall request Mr. Haridas Majumdar not to press th motion to a division. The Ministry has already announced its policy an I am sure the Ministry has also been successful in implementing th declared policy and, in the circumstances, the mover of this motion wi help us in clearing the deck so that a satisfactory solution may be arrive at. With these words I would request the mover of the motion to with draw the motion and oppose it if pressed to a vote.

Mr. SATISH CHANDRA SEN: Sir, I rise to support the motio which is before the House. I do not really follow why so much heat an controversy has been raised over this matter. It appears that the House i agreed and this side and that side, every side, agrees that the politica prisoners should be released. The only question is whether it should b considered a censure motion or simply a motion that requests the Govern ment to release these prisoners. The original motion now before th House asks the Ministry to release the political prisoners, the reason give being the altered circumstances in the country. Sir, nobody can den that there has been an altered situation in the country and also in th present constitution. Nobody will deny that an altered situation has com about in the country, and with this altered situation in the country I do no think anybody will deny the fact that every person who is interested in th welfare of the country, and who has sacrified anything for the countr should come in and participate in its work. If they agree, then why shoul there be any controversy or opposition to the motion being passed by th House—I do not really follow. Nor do I really follow why party politic has been brought in over this question. It is nothing like this. It is no at all a party question. We do not care whether the credit goes to th

Muslim League or to others. We are absolutely disinterested in the question as to which quarters the credit should go to. Let the credit go to everybody—to this House, to the Ministry or to the Opposition, we have no objection. We are only to consider the pitiable plight of the political prisoners who are rotting in jail and if it is the desire of the House to release them, let us admit it and pass the motion.

Mr. PATIRAM ROY : মাননীয় সভাপতি মহাশয়, আজ এই Houseএ এমন একটি motion উত্থাপিত হয়েছে, যেটা সর্ব্বজনবিদিত এবং বহু বিঘোষিত। বহুবারই এই Houseএর মধ্যে এ সম্বন্ধে আলোচনা হয়ে গিয়েছে। শুধু যে এই Houseএর মধ্যে আলোচনা করা হয়েছে তা নয়--বাংলার রাজবন্দীর জন্য কয়েক বৎসর যাবৎ বাংলার পথে ঘাটে মাঠে বিভিন্ন সভাসমিতি দ্বারা যাঁরা বাংলার শাসনতন্ত্র অধিকার করে আছেন, তাঁদের কাছে জনসাধারণ বহু আবেদন নিবেদন জানিয়ে আসছে। কিন্তু যাঁরা জেগে ঘুমান তাঁদের ঘুম ভাঙ্গান অত্যন্ত শক্ত। যতবারই এই Houseএ বন্দীমুক্তির আন্দোলন উত্থাপন করা হয়, ততবারই জানা যায়--ততবারই আমরা শুনতে পাই--ততবারই Hon'ble Minister assurance দিয়েছেন "তিনি প্রত্যেকটা case পৃথকভাবে তদন্ত করবেন, প্রত্যেকের সম্বন্ধে অনুসন্ধান করে যত তাড়াতাড়ি সম্ভব তিনি তাঁদের মুক্তি দেবেন।" কিন্তু সেই মুক্তি আর একদিন, দুদিন, তিনদিন, তিন বছর, পাঁচ বছর, ছয় বছরেও হয় না। অনেকে একথা বলেছেন যে, আগেকার কথা আগে হয়ে গেছে; সে কথা নিয়ে আর কেন? তা ব'ললে চল্‌বে না, একথা তুলবার আবার আবশ্যক হয়েছে। আগেকার দিন আর বর্ত্তমান দিনের মধ্যে বহু তফাৎ। জগতের বুকের উপর দিয়ে একটা মহাযুদ্ধের প্রবাহ চলে গেল, জগতের কত পরিবর্ত্তন হয়ে গেল, বাংলায় আজ কত পরিবর্ত্তন হয়ে গেল। সেই পরিবর্ত্তনের পর বাংলার রাজনীতি নূতন ভাব ধারণ ক'রেছে। এই পরিবর্ত্তনের ফলে সুদূর ইংল্যাণ্ড হ'তে বৃটিশ কেবিনেট মিশনে ৭০ বৎসরের বৃদ্ধ পেথিক লরেন্স বহু কষ্ট স্বীকার করে ভারতবর্ষের লোকের সঙ্গে একটা মিট্‌মাটের জন্য, এই দেশের ভয়ঙ্কর গরম সহ্য ক'রে তিনমাস কাটিয়ে গেলেন। দেশের প্রত্যেকটি প্রতিষ্ঠানের নেতার সঙ্গে বহু কষ্ট স্বীকার করে, আলাপ আলোচনা করে গেলেন। তাঁরা আজ কতকটা আশার বাণী শুনিয়ে গেলেন, তবু আজ আমাদের বাংলার জনগণের নেতা, যাঁরা বাংলার জনগণের প্রতিনিধি হয়ে বাংলার ministryর গদি শোভন করে আছেন আশ্চর্য্যের বিষয় তাঁদের প্রাণে কি কোন সাড়া জাগায় না! তাঁদের একবার কি কোন আকাঙ্ক্ষা জাগল না! শুধু এই বাজে কথার জাল বিস্তার করে বলছেন--মাননীয় হক সাহেব করেন নাই--মাননীয় শ্যামাপ্রসাদ মুখোপাধ্যায় করেন নাই--আমরা কেন করতে যাব? এই সমস্ত কথা "বাজে জবাব"! সময়ের পরিবর্ত্তন হয়েছে তাই আজ বন্দীমুক্তির এই যে প্রস্তাব উত্থাপন করা হয়েছে, তাঁদের কাছে এই যে আবেদন নিবেদন জানান হচ্ছে, তাঁরা যেন ভালভাবে, সুস্থ মস্তিষ্কে সেটা বিবেচনা করে দেখেন। বারেবারে শুধু ঐ এক কথা বলা হয় যে রাজবন্দীদের মুক্তি দিলে বাংলায় অঘটন ঘটবে। কিন্তু আজ পর্য্যন্ত যতগুলি বন্দীকে মুক্ত করা হয়েছে বলতে পারেন কি কোন জায়গায় তাঁরা অঘটন ঘটিয়ে ফেলেছেন? কোন জায়গায় রাজদ্রোহ হয়েছে? তা তো হয়নি। এটা বাজে কথা। এই নিয়ে সময়ক্ষেপ করা উচিত নয়। তিন মাস কেন তিন বছরেও ৪০ জনকে মুক্ত করা যায় না, আবার তিন মিনিটেই করা যায়--যদি ইচ্ছা থাকে। কিন্তু করার ইচ্ছা নাই, তাই করা হচ্ছে না। করলে তিন মাসও লাগে না, তিন দিনই যথেষ্ট। আজ জগতের যে পরিবর্ত্তন সাধিত হয়েছে--তথা বাংলার যে পরিবর্ত্তন সাধিত হচ্ছে, বাংলার মন্ত্রিমণ্ডলীকে তা লক্ষ্য করতে অনুরোধ করি। আজ বাংলার নূতন constitution হতে যাচ্ছে। বাংলার অধিকাংশ লোক আজ এই আশা বুকে পোষণ করছে, আর কিছুকাল পরে বাংলার বুকে স্বাধীন constitution দেখা যাবে। যাঁরা আজ ministryর গদি শোভন করছেন তাঁদের কাছে অনুরোধ করছি, সেই স্বাধীন constitution তৈরী হবার আগে, তাঁরা, যাঁদের ভোটে আজ গদি দখল ক'রেছেন তাঁদের আদরের দুলাল জেলের অন্তরালে একথা মনে করে সেই দেশসেবী সন্তানগণকে ছেড়ে দিয়ে তাঁদের কর্ত্তব্য পালন, তাঁদের উদারতা বাংলার জনসাধারণকে প্রদর্শন করুন। এই বলে আজ আমি যে প্রস্তাব এখানে উত্থাপিত হয়েছে, সেটাকে সমর্থন করছি।

Mr. CHYASUDDIN PATHAN: Mr. President, Sir, we on this side of the House have noticed the keenness on the part of Mr. Majumdar while tabling this motion for the release of the political prisoners. As far as I can understand, this question could very conveniently have been brought up for discussion at the time of the budget debate and we should have then ample opportunity for discussing this question. Now, Sir, whatever it may be, I fail to understand why while discussing this adjournment motion

there has been aspersion by some of the honourable members of the Opposition against the Ministry and Muslim Leaguers—particularly by Mr. Roy It is much better if this motion is discussed in a harmonious spirit. Th other day a question was put to the Hon'ble Mr. Mohammed Ali by Mr. Da whether certain statements were made by the Hon'ble Chief Minister o the 24th July before a big crowd in the Assembly House compound to th effect that he would very soon release the political prisoners. Now, Sir, if my honourable friend had this valuable information in his possession I do not think there is any justification to be in such a hurry about this matter. Of course there was a time when there was some difference of opinion with regard to the release of political prisoners. But today we feel for the political prisoners exactly in the same way as you do because circumstances have changed and today there is really an altered situation. When the Hon'ble the Chief Minister made a statement regarding the release of political prisoners only the other day, I think, Sir, sufficient time has not elapsed to justify Mr. Majumdar and his supporters to table a motion in such haste. They could wait till 15th August. Another question is that who knows that the political prisoners if they are released all at once will not take recourse to violence. Mr. Moazzemali Chowdhury has pointed out that such a sad incident took place in Dacca. We appeal to the Leader of the Opposition and to other leaders to bear in mind this fact and issue instructions to that effect. I think that circumstances have come to such a pass that these political prisoners will be released to day or tomorrow. But there is no justification for this hot haste. The Hon'ble Finance Minister has requested Mr. Majumdar to withdraw his motion and I hope he will do so and not press for a division.

Mr. BIJOY SINGH NAHAR: Sir, we have met here today to discuss the release of certain prisoners who have been convicted on political grounds. It is really a pity in this age that they are still rotting behind the prison bars convicted by the Government for their love of the country. Today the Muslim League Ministry has taken charge and we always hear that they will release these prisoners. Sir, 40 pre-reform prisoners and 59 other political prisoners are rotting behind the prison bars. We have heard the Chief Minister making a statement the other day before the crowd that he would examine the necessary papers for the release of these prisoners. But what is there to examine? They are in jail that is a fact and they should come out that is also a fact. Then why there should be an examination. The Muslim League Ministry did not put them in jail. They were put in the prison by the bureaucratic Government which has come here to rule and terrorize the people by such convictions. It is said that the present Ministry is a popular Ministry. Why then they do not come forward and pass the release order here and now? That very question was put to the Chief Minister before the crowd but he could not give a straight answer. It is true that in accordance with the resolution of the Muslim League the title holders have renounced their titles and they say that they will take to a revolutionary path. We hope they will fight the Britishers in this country. Let us hope that this Ministry will not fall back, they will not falter and want to examine the papers for the release of these prisoners. They will not wait till the 15th August. I hope and believe like the Finance Minister who has made a statement on behalf of the Chief Minister that these prisoners will come out very soon. Sir, various arguments have been advanced as to why this Ministry or that Ministry did not release them. Other provinces have already released them and why in Bengal these prisoners are rotting behind the prison bars for no fault of their own but only for the love of their country. We also know that in many cases the trial was a mockery; that they were not given proper chances of even defending themselves. They were kept behind in such a way that they could not even defend themselves properly and that was the method adopted by an alien government and there was nothing to

suppress such a government which has come to rule and not to give anything to us. That was expected from them. But now, Sir, time has changed. We are on the verge of a revolution; a great revolution has come and we are sure to achieve our independence very soon. Let us hope that the present Ministry will take up the cause of these prisoners. There is no question of examining or losing time. They must pass the release order; otherwise there the great force, the mass force is rising which will see to it so that this is done. This is a demand from the country, this is a demand from the people, this is a demand from this House that they must be released as soon as possible.

Mr. MOHD. TOUFIQ: Sir, I would not have taken part in today's discussion but for the fact that matters are going unreplied. I find that members on the other side are not very sincere for the release of these prisoners but they are sincere for the propaganda of their party. The mover opened his case by saying that circumstances have changed and that Congress has accepted the Cabinet Mission's proposals. I say it is quite incorrect. The Congress has not accepted the Cabinet Mission's proposals It has simply agreed to go to the Constituent Assembly just to defeat the object of the Muslim League. The mover has referred to Mr. Lloyd George and Mr. de Valera, that Mr. de Valera was invited to discuss the reforms, but he refused to discuss the terms of such reforms until the release of his country's political prisoners. I ask why the Congress had not the courage to ask the Cabinet Mission first to release the political prisoners and then to have a talk regarding the future constitution of India or to discuss the Cabinet Mission's proposals. At the time when the Cabinet Mission came to India there was Section 93 Government in Bengal and the Congress could have conveniently asked the Mission to have these political prisoners of Bengal released first and then talk about the constitution for India. My friend Khan Bahadur Sk. Md. Jan has said that the Muslim League will not be able to launch a campaign and that when the Congress has defeated the British Government what they will care for the Muslim League. The Muslim League has no such defeatist mentality as the Congressite Khan Bahadur has. My friend Mr. Badrudduja advised this side of the House not to indulge in party politics. But I am sorry to say that he has not advised his side of the House who started mentioning the League and the Congress controversy. My friend Mr. Datta wants help from the Muslim League in releasing the political prisoners and he wants that the Muslim League Ministry should release them because they are a popular Ministry and that these people were patriots Does he then accept the Muslim League ideal of a sovereign Pakistan or he wants to have them released only because they belong to his party? So I have to say this much that the other side is only trying to propagate for their party and do nothing else. They are doing similar things in other provinces. With regard to the depressed classes who are clamouring for their rights the ministries there are putting them in jails It is only for the sake of propaganda and party that they want to accuse the Muslim Ministry here. And it is only with that end in view that they have rushed forward with this motion, when the Hon'ble Chief Minister had already assured the House, I mean the Lower House, as well as the demonstrators in the compound of this Building the other day that he was very carefully considering all the cases. He has already released so many prisoners. So instead of casting aspersions they ought to be grateful to the Chief Minister and to the Muslim League party. It is not a Congress Ministry that they have released only the political prisoners belonging to their own party. The Congress ministries have been so much zealous in the matter of releasing political prisoners because almost all the political prisoners belong to their party. Accusation has also been made that this Ministry is rather slow to release such prisoners. But I say Sir that within the very short space of time at their disposal the Ministry could not do better for a party which is opposing the Government.

Dr. KUMUD SANKAR ROY: Sir, I was very glad to hear the Hon'ble Minister say that he does not want to detain the prisoners unnecessarily but at the same time he pleaded for time to release them. From his speech I could gather that Government has already divided political prisoners into several groups. Some of them have already been released on medical grounds, and the cases of those who have been convicted of terrorist crimes are being considered. He also mentioned that the Chief Minister who was at present out of Bengal would examine these cases as soon as he comes back and, if necessary, would release them. Sir, what is the difficulty and what is the reason for examination of these cases, I fail to understand. If members on the other side are at all sincere in their love for freedom is there anybody who will deny freedom to persons who have gone to prison in order to achieve the freedom of their country? Therefore, I ask what is the point in examining these cases? What is the lesson they have learnt from the great war? Persons who have indulged in the atom bombs and have killed millions of people are now considered to be heroes. They did not at all take any long time to consider whether it would be considered a crime to end the war immediately, although millions of lives would be lost thereby. Could not that action be considered to be a heinous atrocity committed in the name of freedom or love of the country? Did anybody pause to consider this aspect at the time? Then again people whose country was overrun and who had gone underground and committed many outrages to recover the freedom of their country, were subsequently acclaimed as heroes, I mean, people composing Marshall Tito's Government. I cannot really make out what is the point the other side has tried to drive at. Why not do the thing in time? Is it not well known that a thing done in time is better than doing it late? I would, therefore, appeal to the Hon'ble Minister, that since everybody is agreed on the question of the release of the political prisoners, to release them forthwith without wasting further time.

Mr. CHARU CHANDRA SANYAL: Sir, I support the motion tabled by Mr. Haridas Majumdar. It is the custom to release political prisoners on the eve of any great political change and a great political change is in sight, the form of which is however not yet known. But when any change is coming it is proper that all political prisoners irrespective of their mode of action should be released forthwith, and I hope the popular Ministry will follow this practice. As regards the crime for which they have gone to jail, it is said that they were misled, but even now I am not going to admit that they were. Theirs was one type of fighting; next came the Congress with another type of fighting, and another party is coming forward with yet another type. The difference lies in the mode of fighting. So it is not proper to say that they were misled; I say that they were not at all misled. I say that everyone is right. They followed the path of terrorism because they thought that by that course they would free their country and I am not inclined to say that they were mistaken. I think, nay it is my conviction, that all the hon'ble members present here, who are representatives of the people, are all patriots and there is no doubt that everyone likes to see his country free from bondage, and when we are all patriots why should we not have respect for those who have fought for freedom and for which they are still behind the prison bars. It is our duty as their friends to bring them out as quickly as possible and we must exert all our mite to do it. I know some of my friends of the League side were my co-workers and we lived together in the same place for months and years. So I am not inclined to believe that they are not patriots and that they do not feel for their countrymen. I am sure they are equally anxious for the release of the political prisoners as we are. Regarding the Constituent Assembly one of my friends on the opposite has said that the release of all the political prisoners should have been demanded before the Congress agreed to enter the Constituent Assembly.

But I may say that the Congress put some condition and it is a conditional entry. It is yet to be seen whether the Congress will continue in the Constituent Assembly or not.

Then, Sir, there are some other cases which have not yet come before the House, that is the cases of those rebels who are still absconding—those who took part in the 1942 movement—the movement at Balurghat in the Dinajpur district. There are also some workers of the movement between 1942 and 1945 who are still absconding. I hope they should be allowed to come out of their hiding. They must be released and must be set at liberty. There was no conviction and they were not prisoners at all and I hope the present Ministry should take a note of this and allow them to be free as quickly as possible. I think, Sir, that in the matter of the release of political prisoners there shoulld not be any difference of opinion in this House. In spite of the method of fight, in spite of the way which they followed everyone in this House will agree that they are patriots——

Mr. PRESIDENT: Order, order. Mr. Sanyal, how long will you take to finish your speech, because after you Mr. Majumdar will reply.

Mr. CHARU CHANDRA SANYAL: Sir, I have finished. I only hope that all of us should be unanimous to demand release of the political prisoners.

(Mr. Nur Ahmed rose to speak.)

Mr. PRESIDENT: Mr. Haridas Majumdar you may speak for 5 minutes.

Mr. HARIDAS MAJUMDAR: Mr. President, Sir, my friend Mr. Lalit Chandra Das wanted to hold that my motion was a censure motion——

Mr. PRESIDENT: As there is some more time at our disposal, let me give an opportunity to Mr. Nur Ahmed who rose to speak. Yes, Mr. Nur Ahmed.

Mr. NUR AHMED: Mr. President, Sir, speaking on behalf of the great party, the Muslim League Party, I can assure my hon'ble friends, the mover of the motion as well as his supporters that the Muslim League stand for freedom and they do not want to keep in prison or in detention any person unless it is absolutely necessary for the safety and for the order and peace of the society. The Chief Minister has assured here and elsewhere, in the platform and outside, that he will release all political prisoners, after due examination. The other day he assured the crowd outside this House to this effect, but I fail to realise why reasonable time has not been allowed to him. We are as anxious as our friends on the other side for the release of the political prisoners These are the days of great events. India to-day expects that very soon she will be an independent country and the persons who fought for the liberation of this country should be liberated. There are several political prisoners belonging to my district of Chittagong and I know some of them. There is no doubt about their patriotism. The fire of patriotism was burning in them Some of their actions we, Muslims, cannot support. Because Muslims cannot have recourse to murder of innocent persons. My appeal to the mover of the motion and his supporters would be to allow the Ministrry some time to carefully examine the question. There should not be any hurry in this important matter.

In this connection I may say a few words to my hon'ble friend, Khan Bahadur Shaikh Muhammad Jan, who takes every opportunity to throw vile attacks on the Muslim League. He cast some aspersions and went away. He never stays to hear what we have to say in reply to his charges. It is very unfortunate. I strongly protest against his attacking the great

Muslim organisation. We, Muslims, know how to fight, if necessary, for our own rights and privileges, for the independence of Pakistan in a free India. We do not expect that he should teach us. Sir, I strongly protest against that remark and also against the conduct of his though he is not here when the reply is being given. Sir, I have heard some sermon from Mr. Badrudduja who is known among the public as the hero of Cordova and Granuda fame. I never expected such a remark from him, from the hero who once belonged to the Muslim League and was returned to the Assembly on a Muslim League ticket. But a very few days after he changed his colour and walked over to the other side.

(As his time was up the speaker resumed his seat.)

Mr. HARIDAS MAJUMDAR: Mr. President, Sir, I won't take much time at this stage of the debate as many speakers that followed me, the mover, have already spoken supporting the object of this adjournment motion. I shall only refer to those observations of the hon'ble members which call for a reply from me. Mr. Das did not like the idea that I should treat this as a mere adjournment motion and not as a censure motion. I did it purposely because I wanted to test the sincerity of my friends sitting in front. Some of them were loud in their speeches at the meeting in the Sraddhananda Park held for the release of the political prisoners. I only wanted to see whether they would make it a non-party question and see that the prisoners were released and thus strengthen the hands of the Ministers by passing this motion unanimously. That was my idea in tabling this adjournment motion because if I had held it a censure motion they might say that as a matter of principle they could not go against the ministry and the Treasury Benches. Another point I should like to emphasise in this connection and that is this: The last ministry headed by Mr. Fazlul Huq had at that time many difficulties. One of them was that the Government of India was against their release. But now the Central Government have agreed that the Provincial Governments can deal with the matter in their own way and the Congress ministries in other provinces have already taken advantage of it and released the political prisoners. I would ask my hon'ble friend, the Finance Minister, to take note of this and to see that these prisoners are set at liberty without any loss of time. There is another thing now which was not there at the time of the last ministry and that is the atmosphere that has been created for the setting up of the Constituent Assembly. Unprecedented in British history a Cabinet Mission came and they gave out to all the people of the world that India is going to be free very soon and made it possible for the establishment of a Constituent Assembly. The Constituent Assembly will have been formed soon and they will declare India free. There is no doubt about it. There should be no question of this section or that community, Sikh or Muslim, not taking part in it. It is India that is going to be free; not this section or that section. Therefore I would request the Sikhs and the Muslims to reconsider their position and to join the Constituent Assembly and to declare the country free. These are all the developments and the difficulties that confronted the Fazlul Huq ministry are now over and there can be no more delay in releasing the prisoners. So I would again request the Treasury Benches to implement their assurances and promises and to set free these political prisoners who have already served long terms of imprisonment ranging from 12 to 16 years for their crime of patriotism. We these words, Sir, I hope that the ministry will take this opportunity to release the political prisoners without delay.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, on behalf of the Government something has already been stated by my friend the Hon'ble the Finance Minister, Mr. Mohammed Ali. We have made it absolutely clear that we have full sympathy with the object of the motion. But the fact remains that we have not yet been able to examine each and every case——

Mr. PRESIDENT: I understand that the two hours limit has already been reached; so the debate automatically terminates.

Hours of Sitting.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: All right, Sir. I have one point to raise and that is regarding the time of our sitting to-morrow. It has been represented by the other House that it would suit that House better if we sit at 1-15 p.m. instead of at 1-30 p.m. The Lower House insists that owing to the Ramzan fast it would be very inconvenient to them if this House sit at 1-30 p.m. ordinarily. And I think we should accommodate them in view of the Ramzan.

Mr. NAGENDRANATH MAHALANOBISH: Have we not got the Ramzan here, too?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, but this timing will not affect this House very much.

Mr. PRESIDENT: Order, order. In this matter I am entirely in the hands of the House, and I would like to know the views of the House.

Mr. HARIDAS MAJUMDAR: I would stick to 1-30 p.m., Sir.

Mr. GEORGE MORGAN: My mind is quite open in regard to this question. I would prefer 1-30 to 1-15, but if everybody wants to sit at 1-15, then I have no objection. It must be decided by a majority.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On behalf of the Government I would request that the House may agree to sit at 1-15 p.m. instead of at 1-30 p.m. for the convenience of the other house.

Mr. LALIT CHANDRA DAS: When there is such an appeal from the Leader of the House, we have no objection.

Mr. PRESIDENT: Then it is agreed that we meet from now at 1-15 p.m. ordinarily, instead of at 1-30 p.m. The House now stands adjourned till 1-15 p.m. to-morrow.

Adjournment.

The Council then adjourned till 1-15 p.m. on Thursday, the 1st August, 1946.

Members absent.

The following members were absent from the meeting held on the 31st July, 1946:—

(1) Mr. Abdulla-al Mahmud.
(2) Mr. L. P. S. Bourne.
(3) Mr. Yusuf Ali Chowdhury.
(4) Mr. Kamini Kumar Dutta.
(5) Khan Bahadur Sheikh Fazal Ellahi.
(6) Sir Md. Azizul Haque, Khan Bahadur.
(7) Mr. Mungturam Jaipuria.
(8) Mr. Humayun Z. A. Kabir.
(9) Maulana Md. Akram Khan.
(10) Mr. Syed Abdul Majid.
(11) Mr. T. B. Nimmo.
(12) Khan Bahadur Mukhlesur Rahaman.
(13) Mr. F. C. J. Steuart.

BGP-46/7-7747A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 6.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 1st August, 1946, at 1-15 p.m., being the sixth day of the 1st session of 1946, persuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PROSAD SINGH ROY, K.C.I.E.) was in the Chair.

Relief to the Pandits.

47. Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) if his attention has been drawn to an appeal made to the Government and to the public to come to the aid of the struggling pandits by the Hon'ble Mr. Justice B. K. Mukharji in course of his address presiding over the Annual Convocation of the Bengal Sanskrit College; and

(*b*) what steps the Government propose to take to relieve the distress of the pandits?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) Yes.

(*b*) In 1944-45, Government sanctioned an additional sum of Rs.89,739-8 over and above that spent in the previous year as detailed below:—

	Rs.	as.	p.
(*i*) Grant-in-aid to tols against a grant of Rs.42,200 in previous year ...	52,712	8	0
(*ii*) Stipends to pupils and pandits on the results of Sanskrit Examination awarded by the Bengal Sanskrit Association against a grant of Rs.24,700 in previous year ...	24,718	0	0
(*iii*) Dearness allowance to tol pandits at Rs.5 per month as special aid for the year 1944-45 against nil in previous year ...	79,209	0	0
Total ...	1,56,639	8	0

In 1945-46 Government spent an amount of Rs.1,00,633 on dearness allowance to relieve the distress of the pandits, in addition to the usual expenditure on grant-in-aid and stipends as detailed below:—

	Rs.
(*i*) Grant-in-aid to tols ...	52,200
(*ii*) Stipends to pupils and pandits on the results of Sanskrit Examinations awarded by the Bengal Sanskrit Association ...	24,718
(*iii*) Dearness allowance to tol pandits for the year 1945-46 together with the arrear of 1944-45 ...	1,00,633
Total ...	1,77,551

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister be pleased to state the average annual income of a pundit as such?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

Mr. HARIDAS MAJUMDAR: Is it not a fact that under the present abnormal market the help that is given in the shape of grants-in-aid and dearness allowance to the *pundits* as stated in reply (*ii*) and (*iii*), is quite insufficient?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Government's finances are also limited that fact has also to be taken into consideration and in spite of that Government have made a liberal grant of Rs. 89,739 over and above the ordinary grant.

Mr. NAGENDRA NATH MAHALANOBISH: With regard to the amount that has been spent for grant to tols, namely, Rs. 52,200 will the Hon'ble Minister please state for how many tols this grant has to be spent?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I ask for notice.

Mr. HARIDAS MAJUMDAR: What steps, if any, Government want to take in regard to the amelioration of the conditions of the pundits this year?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: We do not contemplate to do anything this year, but this question will come up along with the proposal of improving the lot of teachers of all other classes.

Subdivisional Officers in the Dacca Division.

48. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state—

(*a*) the number of Subdivisional Officers in the Dacca Division;

(*b*) the communities to which they belong; and

(*c*) if the Government propose to appoint Subdivisional Officers from among the Hindus where the Muslims constitute the majority of the population and from Muslims where the Hindus constitute the majority of the population for the protection of minority interests?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Chief Minister's Department): (*a*) There are 17 Subdivisional Officers in the Dacca Division.

(*b*) On the 1st July, 1946, there were 4 Hindus and 13 Muslim Subdivisional Officers.

(*c*) No.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state why a negative answer has been given in reply to part (*c*)?

The Hon'ble Khan Bahadur MOHAMMED ALI: That is a question of policy and Government happen to adopt that policy. On the other hand there is a demand in the areas where the Hindus predominate for the posting of a Hindu officer and where the Muslims predominate for the posting of a Muslim officer. But in this respect Government have no cut and dry policy, only as a measure of administrative convenience they have adopted this without any consideration of the community to which a particular officer belongs.

Mr. BIREN ROY: If there is a public demand in a Hindu majority area, will a Hindu Subdivisional Officer be posted there and *vice versa*?

The Hon'ble Khan Bahadur MOHAMMED ALI: As I have already stated there is no hard and fast rule in the matter of posting of officers but the Government try to accede to the demand as far as possible.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister please state the percentage of Muslim and Hindu population in the Dacca Division?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister be pleased to state whether the posting of officers both Hindu as well as Muslim is in proportion to the percentage of population?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice, but I may submit that the posting is not done on the percentage basis.

Mr. LALIT CHANDRA DAS: Is it not the policy of the Government to protect the minority interests?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes, most certainly.

Mr. LALIT CHANDRA DAS: If that is the policy and if a demand is made from the public will Government consider the desirability of appointing a Muslim officer in a Hindu majority area and a Hindu officer in a Muslim majority area?

The Hon'ble Khan Bahadur MOHAMMED ALI: The interests of the minority are protected by the Government officials and the question of posting an officer belonging to a particular community does not arise.

Reappointment of retired Government officers.

49. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state—

(*a*) the number of over-age retired officers who were taken back into services during the war and are still in Government employment; and

(*b*) whether the Government intend to replace them as early as possible by younger recruits?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Chief Minister's Department): The information is being collected and a reply will be given in due course when complete information is available.

Mr. LALIT CHANDRA DAS: Will you permit me, Sir, to protest against this novel method of sabotaging questions by giving such answers? And will this question again come up for answer without notice?

The Hon'ble Khan Bahadur MOHAMMED ALI: May I in reply say, Sir, that it is not a novel method of sabotaging questions. The idea in giving such an *ad interim* reply is because the Council Department fix a target date by which a reply to a question is to be furnished to them. But sometimes it is not possible to collect all the information in order to furnish a full reply and therefore an *ad interim* reply is given with the idea that when the required information is available a full reply will be given.

Mr. LALIT CHANDRA DAS: It is my experience of the last 10 years that such *ad interim* replies are given, but the point is whether the Hon'ble Minister will answer this question this Session or any other Session without asking for fresh notice.

The Hon'ble Khan Bahadur MOHAMMED ALI: No further notice will be required and the information will be furnished as soon as the information is received by us.

Point of Privilege.

Mr. KAMINI KUMAR DUTTA: I rise on a point of privilege, Sir. To-day has been fixed for the general discussion of the Budget, but, before the discussion is taken up, there is an important matter vitally concerning the privileges of this House and in this matter which I am placing before you now, Sir, I have the consent of all the parties in this House. Though I represent one of the parties I did consult the Leaders of the other parties and what I say now is the general consensus of opinion of all the parties in the House including the European Group.

Now, according to section 169 of the Government of India Act, 1935, "The reports of the Auditor General of India relating to the accounts of the Federation shall be submitted to the Governor General, who shall cause them to be laid before the Federal Legislature, and the reports of the Auditor General of India or of the Auditor General of the Province" (if one is appointed of course), "as the case may be, relating to the accounts of a Province shall be submitted to the Governor of the Province, who shall cause them to be laid before the Provincial Legislature". I submit that the Legislature necessarily means both the Legislative Assembly and the Legislative Council where there are two Chambers. So it is a statutory provision, Sir, that the reports of the Auditor General shall be submitted to the Governor of the Province and he shall cause them to be laid before the Provincial Legislature, which means that the report of the Auditor General is to be laid before this House also. I would then, Sir, refer to rules 107, 108 and 109 of the Council Rules, which have been promulgated under the provisions of the Government of India Act, 1935, and having statutory value. Rule 107 lays down that "When the accounts of the Province and the reports of the Auditor General thereon have been laid before the Council, the Secretary shall cause them to be published, and a copy of the accounts and the reports shall be made available for the use of each member". Then, Sir, rule 108 lays down. "No discussion of the accounts of the Province and the reports of the Auditor-General thereon shall take place in the Council until the reports of the Committee on Public Accounts on such accounts and reports has been presented to the Council under rule 109." Then, Sir, rule 109 lays down: "The report of the Committee on Public Accounts on the accounts of the Province and the reports of the Auditor-General thereon shall be presented to the Council by the Finance Minister". So, Sir, under rule 108 there cannot be any discussion of the accounts of the Province and the reports of the Auditor-General thereon in this House until the report of the Committee on Public Accounts has been presented to this House. It is apparent, Sir, that we must have a Committee on Public Accounts constituted by this House alone or in conjunction with the other House. So, Sir, a very valuable right of this House is indirectly withheld by not allowing this House to be on the Committee on Public Accounts. And, as I have already said, Sir, no discussion of the Accounts of the Province and the Reports of the Auditor-General thereon shall take place in the Council until such accounts and reports have been presented to the Council under rule 109. It is a matter of great grievance to the House and a matter which was being ventilated and urged upon the Government from the very initiation of the House every year. Every year this demand has been made but it comes to no conclusion. It is evaded by the Ministers. Even the

other day, namely, upon the very first day that we met, there was a question on the subject put by my friend Mr. Haridas Majumdar as to what has happened to this demand of the House. There was an evasive reply or rather no reply at all. This could not be done that day on account of the absence of the Hon'ble Minister concerned. It is well known to the Chair also that this matter is a matter of grievance to the House and that this is a demand which is being made every year. It may be said that to-day is not a day for the discussion of any reports of the Auditor-General. But as a matter of fact that stage will never arrive at all here because unless we are on the Public Accounts Committee there can be no report of the Committee on Public Accounts at all in which we could participate and take part, and that occasion will not come at all for a discussion of that particular report. So in order to bring home this matter to the Government and to have a proper remedy I have got the consent of all the parties in this House to say that the members of the House have resolved to refuse to take any part in the budget discussion today, because they think that it is absolutely useless and of no value unless the House gets the right by which they can get some of their members elected to the Committee on Public Accounts. And until and unless that relief is granted and we get that right, I again repeat, it is the united determination of the House to refuse to take part in any general discussion of the budget at all.

The Hon'ble Khan Bahadur MOHAMMED ALI: Mr. President, Sir, the hon'ble the Leader of the Opposition has quoted from a statutory provision regarding the submission of accounts through the Auditor-General before the Provincial Legislature. He has not, however, quoted any statutory provision wherein it has been provided that the members of a particular House should be on the Committee on Public Accounts, but he simply infers by reason of rule 108 of the Rules of Procedure of this House that there should be a Committee on Public Accounts of this House. He has also made an incorrect statement when he says that the question of a Public Accounts Committee of this House was not answered on the floor of the House because the Minister concerned was absent; that is not the correct position, Sir. The position was this: A reply was duly sent by my predecessor in office in answer to the particular question. I had not, however, dealt with the file, I had not even seen the file, and, therefore I was not aware of the actual position. Therefore with the permission of the Chair the question was held over so that I could consider the reply and answer the question on the floor of the House, so that I could take responsibility for what I was going to say.

Mr. LALIT CHANDRA DAS: The question was not withdrawn but held over.

The Hon'ble Khan Bahadur Mr. MOHAMMED ALI: Yes, held over, with the idea that the reply would be re-framed and then answered on the floor of the House, because I had not seen the file and dealt with the matter. Therefore, I was not in a position to explain the Government's point of view. So far as this matter is concerned, I have not examined its implications which would enable me to make any definite commitment on behalf of the Government; nor do I know what is the constitution of the Public Accounts Committee. I, therefore, require some time to consider the matter and I can assure the hon'ble members that the matter will be considered very sympathetically. I cannot say anything more at this stage because I have not had any notice of the reference that the hon'ble the Leader of the Opposition was going to make today.

Mr. PRESIDENT: I may just inform the Hon'ble Finance Minister that this is a very long standing grievance. This question was discussed more than once with successive Finance Ministers. As regards the constitution of the Public Accounts Committee, although it is not clearly laid down in the Act whether the Committee should be from one or both Houses—still the word "Legislature" implies both the Chambers of the Legislature and

on that point there is no doubt whatsoever. I may just inform the Hon'ble Finance Minister that if he looks up the Government files on the subject, he will find that the opinion of the Advocate-General was sought, when I was a Minister of Government, and his opinion on this point was clear that Legislature means both Houses of the Legislature. It is on that ground that I find that it is not fair to this House that it should go unrepresented on the Public Accounts Committee. The members of this House should be allowed either to sit on the same Committee or there should be a separate Committee of their own. Now, in view of the very important issue raised, are Government prepared to give a definite promise?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I was not aware of this fact, that there was a long standing dispute over this matter. Had it been brought to my notice earlier, I could have decided it by now. This is the first time that my attention has been drawn to it and now that I know the position I can assure you that I shall arrive at a decision within a fortnight——(**Voices:** No, that is a very long time.)

Mr. PRESIDENT: If the Government cannot induce the members of the other House to sit on the same Committee the members of this House should be allowed to form a separate Committee of their own. When I say this, I think, I voice the opinion of all the members of this House.

Dr. KUMUD SANKAR ROY: On a point of order, Sir. Apart from the point which has been raised by Mr. Dutta, this House refuses to take part in the general discussion of the budget and in view of what has been said, namely, that it is the right and privilege of the House to sit at the Public Accounts Committee—either being co-opted to the same Committee or have a separate Committee of their own. In view of this, are we competent to proceed with the budget discussion?

Mr. PRESIDENT: The Budget discussion is not in any way dependent on the formation or constitution of the Public Accounts Committee. Moreover in the past this House did agree to discuss the budget in spite of the fact that there was no Public Accounts Committee of its own. I think that right might be kept in abeyance for the time being.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I would make one submission to the Leader of the Opposition. As I have said, this is the first time that this matter has been brought to my notice and I would request him not to withdraw from the discussion of the budget. We always welcome criticism from every side of the House. We welcome healthy and constructive suggestions on the budget proposals and I would also point out that it would not be fair to withdraw from the discussion without giving us any notice about this matter. In these circumstances I hope that the Leader of the Opposition will give us a fortnight's time, in view of the fact that no previous notice was given to me, to come to a decision.

Mr. LALIT CHANDRA DAS: Sir, may I suggest that this question of the Public Accounts Committee may be decided during the discussion of the Budget, namely, within three days and not in a fortnight.

The Hon'ble Khan Bahadur MOHAMMED ALI: Mr. President, Sir, this question was hanging fire for a very long time and now the hon'ble members want to come to a decision here and now. Sir, it is not possible for me to come to a decision within such a short time. I shall require some time to go through the file. As a matter of fact I have to attend the two Houses. I have to work from morn till night. Today in the morning I had to attend the Cabinet meeting, then I have come to this House and again I shall have to attend the other House. Honourable members should realise how hard pressed I am for time. Therefore, it is not possible for me to go through a file of that magnitude in the course of a day or two.

But I may assure the honourable members that I shall give a decision by the end of next week.

Dr. KUMUD SANKAR ROY: Sir, will it materially make any difference if we postpone the discussion of the Budget for a week or 10 days?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes, it will upset the whole programme. Moreover, it is the privilege of the Opposition to discuss the Budget. I do not know how they feel about it. So far as the Government are concerned we will welcome any criticism. The other House will vote for the supplies shortly and it is necessary, therefore, to complete the Budget Discussion as early as possible. I would request the honourable members not to postpone the discussion. I have already promised that I shall come to a decision by the end of the next week. I am not asking for a fortnight's time but by next week I shall announce my decision, which means only 8 days from today.

Mr. BIREN ROY: Then postpone the discussion for 8 days and when we hear the decision we shall resume the discussion.

Mr. PRESIDENT: Then do I take it that it is the desire of the House to postpone the General Discussion of the Budget now?

Mr. KAMINI KUMAR DUTTA: Sir, I would request you to give me sometime to consult other members on this point.

Mr. NUR AHMED: Sir, this question of the Public Accounts Committee has been hanging fire for a very long time——

Mr. PRESIDENT: Order, order. I am prepared to adjourn the House for a few minutes if that would help the honourable members to come to a decision on this point.

Mr. KAMINI KUMAR DUTTA: That will be better, Sir.

Mr. PRESIDENT: The House stands adjourned till 2 p.m.

(After adjournment.)

The Hon'ble Khan Bahadur MOHAMMED ALI: Mr. President, Sir, it has been decided that the Government will announce its decision on Tuesday and on the basis of that assurance the members of the Opposition are willing to participate in the budget discussion.

Mr. KAMINI KUMAR DUTTA: It should be on the record, Sir, that it is on that assurance and on that condition that we have agreed to participate in the budget discussion.

Objection to meeting on Saturday.

Mr. LALIT CHANDRA DAS: On a point of information, Sir. From the notices that have been circulated to us, it will appear that we are also to take part in the discussion of the budget on Saturday. Saturday will be inconvenient for us, Sir, and we are not usually sitting on Saturdays.

Mr. PRESIDENT: What has the Leader of the House got to say?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I have since arranged that there should be no sitting on Saturday as the members want that there should be no sitting that day. They have already told me about that and Government have agreed that there should be no sitting on Saturday.

Mr. PRESIDENT: Then am I to take it that the Budget discussion will be held today, tomorrow, Monday and Tuesday?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Tuesday has not yet been fixed, Sir.

Mr. PRESIDENT: I would suggest that you agree to have the discussion also on Tuesday because from my experience I can tell you that it is hardly possible to finish the Budget discussion giving sufficient opportunities to all the members within three days.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I have informed the people who are in charge of these things that usually the Council is given 4 days for this purpose. They were not sure about it and they were looking up the records. Obviously it used to be 4 days and it will be 4 days. The final decision will come afterwards.

Adjournment motion.

Mr. HARIDAS MAJUMDAR: There is an adjournment motion standing in my name, Sir.

Mr. PRESIDENT: Regarding your adjournment motion, Mr. Majumdar,—will you kindly resume your seat—I am afraid, I have to refuse to give my consent on the ground that it is not an urgent matter of public importance and of recent occurrence. The grievance mentioned in it is a very old one.

Mr. HARIDAS MAJUMDAR: Will you allow me, Sir, to explain its urgency?

Mr. PRESIDENT: I am sorry, No. I have already refused my consent to it.

Election to the Privileges Committee.

Mr. PRESIDENT: I have to make an announcement regarding the Committee of Privileges of the House. I may inform the House that nomination papers in respect of only five candidates were received up to 3 p.m. on the 31st July, 1946, for election to the Committee of Privileges whereas under rule 120 of the Bengal Legislative Council Procedure Rules, seven members are to be elected to the said Committee.

As required under standing order 19(*2*)(*iii*) of the Standing Orders, I, therefore, appoint 3 p.m. on Monday, the 5th August, 1946, as the last hour and date for submitting further nominations for election to the said Committee.

Message from the Assembly.

The SECRETARY (Dr. S. K. D. GUPTA): Sir, the following Message has been received from the Bengal Legislative Assembly:—

"The Bengal Finance (Extending) Bill, 1946, as passed by the Bengal Legislative Assembly at its meeting held on the 27th July, 1946, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

N. AMIN,

Speaker,

Bengal Legislative Assembly."

CALCUTTA,

The 31st July, 1946.

Sir, I herewith lay on the Table the Bengal Finance (Extending) Bill, 1946, which was passed by the Bengal Legislative Assembly at its meeting on the 27th July, 1946.

Notice of Official Bills.

The Hon'ble Khan Bahadur MOHAMMED ALI: With your permission, Sir, I beg to give notice that during the current session of the Bengal Legislative Council I shall move that the Bengal Finance (Extending) Bill, 1946, as passed by the Bengal Legislative Assembly be taken into consideration by the Council and passed as settled in the Council.

I also request your permission to move these motions at short notice.

Mr. PRESIDENT: All right.

General Discussion of the Budget.

Mr. BIREN ROY: Sir, as we start our discussion on the Budget today, we are in the same unreal atmosphere and the Government have taken time to decide till Tuesday whether members of this House will be given an opportunity, not of course to vote supplies but only to see the audited account for themselves—a right which has been denied to them for the last ten years. The budget as usual is a routine one completely unimaginative. We at least expected our new young Finance Minister, Mr. Mohammed Ali, to give us something new and radical—they are on the threshold of a new era, for the Muslim League has now entered on a revolutionary path and they are going to show a new way to us perhaps to out-Congress the Congressites. But the Budget that he has presented does not reveal any such signs; perhaps it suddenly dawned on them three days ago that they will have to turn rebels which they could not have thought of earlier, otherwise he might have tried to radically change his ideas to show how a people's budget could be framed or prepared. He had sufficient time to make real worthwhile changes and he shows himself up when he cannot declare this way or that but wanted time when we wanted to stop the Budget discussion today and postpone it. Today, Sir, things have come to such a pass that ordinary people do not want to wait for us, or the Nawabs and the Nawabzadas so eager to be called just 'Mr.' by renouncing their titles, and the Rajas and the Maharajas eager to come into the Congress fold. Sir, times are changing and perhaps in no time we may be washed away by the tide that might face us. In view of all that is happening, we should at least point out from this side how a people's budget can be framed and should be framed. This budget only shows how we are going to be taxed more and more and how more and more wasteful expenditure can be incurred by Government. It is, Sir, essentially a contractors' budget from top to bottom. I sympathise with Mr. Mohammed Ali when he talks about his heavy responsibilities. It is a burden, a heavy burden. And he needs his air conditioning plant but it might bring him into a state of callousness. Yes, there are heavy and arduous work for those who have to attend work in Writers' Buildings first in the morning for routine work, then the Cabinet meeting, then to come to this House and then again to attend the Assembly in the afternoon. But there has been no attempt to reduce the expenditure incurred on high salaried officers which he himself proposed years ago. Sir, it has been shown that some money is going to be spent for dearness allowances—a dearness allowance calculated at Rs. 3 or Rs. 5 per head to the clerks and low paid officers who practically run the Government; but, Sir, such dearness allowance ranges from Rs. 200 to Rs. 400 for those fat salaried officers who are there just sitting over these clerks as heads of administration. The general administration of this province, Sir, would take away a much larger share of the money than would be spent on nation-building activities, such as, Irrigation, Industries, Education, Medical, Public Health, Agriculture taken together—one can just imagine how so much money is misspent just to run such an administration.

Now, Sir, if I am to take up each and every item of the Budget it would be very difficult for me to deal with the same in the time

at my disposal and it would not allow my other friends here to speak on many aspects of the Budget. So I shall have to be brief. I would, Sir, like to say something about the Public Health Department of which the Hon'ble Finance Minister is also the Minister in-charge. He has been Minister of the Department for three months, so his reply will be that he has not had sufficient time to study the working of this Department. But if he would go through the files of ready schemes and proposals he would find that there is one regarding the reorganisation of the public health activities in Bengal which is pending since 1938 and though several big municipalities of the province accepted the scheme at a conference of the All-Bengal Municipal Association, nothing has been done to give effect to the scheme. If this scheme were put into operation it could help a bit in improving the sanitary conditions of the urban areas of Bengal. I am a municipal administrator and I confess I am not an expert in the District Board affairs. But my learned friend the Hon'ble the Finance Minister—now President of the District Board Association—knows the conditions of the rural areas better than I do. Only Rs. 82 lakhs have been allocated for Public Health in Bengal where nearly 60 millions are living!

Now, Sir, under the head Medical I find that there is a provision of 2 lakhs for land and building in the Lake area for a temporary hospital. How can land and building cost so little in that area? Is it a gift as rent to some lucky persons? But why a temporary hospital? It may perhaps be that it would be in a house temporarily requisitioned for the purpose. Why could it not be made permanent when there is another item of Rs. 17 lakhs provided for the purchase of medical equipments from the American Military authorities. When Government have been spending so much money and so much time is being taken, why not have a permanent hospital building built; why this should be housed in a temporary building and not in a permanent one and thereby prevent so much waste?

Sir, Mr. Mohammed Ali, has begun Harun-al-Rashid tactics to find out for himself the condition prevalent in the city hospitals. It might gain for him cheap popularity for sometime, but there is a great danger —when all his efforts will not improve matters. Has he ever tried to test the diet supplied to an ordinary patient, the odd times at which such uneatable rubbish is supplied—the difference in diet supplied to the various communities and so on and so forth. No, Sir. He has become a busy-body. I do not know if he watches the people's sentiments at least through newspapers freely available to him. He would have then had some idea of such pitiable conditions. And if he would have watched the letter columns of our new friend of India, "The Statesman" with a communist touch in it, professing at the same time Gandhism of their brand, he would have found out that even Europeans are writing letters in these columns to ventilate the grievances that even their servants as also other common people dare not go to a hospital. Their servants say that it would be better to die outside the hospital than inside it. Such is the condition of the hospitals in Calcutta, not to speak of such others termed as hospitals outside this metropolis. Why don't the Government take over all the hospitals in the province and run them under their control as a state service of medical relief to the people? It would not cost so much of money as it cost them in the boat-building affairs and such other things which have proved to be a sheer waste and a scandal. It will not even cost so much as is going to be spent on the haphazard development schemes, slums improvement schemes, etc. People in Calcutta and the *bustee* dwellers are already having some ideas as to what kind of improvement it would be. Bank-wallas and capitalists are already driving the *bustee* dwellers from those slum areas and when these areas are improved the *bustee* dwellers will not be there, they will have been driven on to the streets. Side by side with these you may look at the industrial workers. There the people are living in filth, in unhealthy atmosphere. What are the Government doing for them or forcing the industrialists to do for them? Nothing, instead the Government are

building jails at a cost of Rs. 6 lakhs, police accommodation at Rs. 12 lakhs and accommodation for the Subdivisional offices perhaps at Rs. 5 or 6 lakhs but the sum allocated for the improvement of slum areas does not bear any comparison with these. Government, Sir, are bringing Rent Control Act in Bengal without giving any thought that if new houses could be built or allowed to be built in large numbers and building materials like cement, M.S. rod or bricks made easily available to the public at cheap rates they might build enough houses to relieve to some extent the congestion and people would also get cheap accommodation. If control is exercised upon these building materials for the benefit of persons willing to build residential houses then perhaps some good result might be seen but I am afraid the Controllers will make money and those persons for whom these materials should be released would not be benefited unless they are prepared to pay heavily in some form or other. That has been the sad state of affairs in this province. Whatever thing has been controlled by the Government has disappeared from the market. Why not allow the municipalities in the urban areas to acquire land and build cheap houses on those lands and then rent them out to certain classes of persons, say, those whose salary ranges up to Rs. 150 or Rs. 200 or Rs. 250. Let Government fix the rental if they choose but help them to build these houses. The municipalities will do it in a businesslike way and not like the ration shops and such establishments run for profiteering from the public but in an unbusinesslike manner. In some cases the Government allow the merchant a profit of Rs. 2 and they themselves profit to the extent of Rs. 5 a maund, whereas in normal times merchants used to profit or could profit only annas 8 per maund of such commodity and yet run their establishments in a businesslike way. The Civil Supplies Department of the Government of Bengal is a scandal as all sections of this House will say with one voice. I do not want to dilate on it.

Now, Sir, we come to an item of taxation and that is the sales tax on petrol, which Mr. Mohammad Ali is going to enhance. He might think that it is going to be borne by the well-to-do people only but that is not the case. It is going to affect the common people. For joy riders very little ration is allowed, it is virtually nil. Even wealthy persons when their petrol coupons are exhausted manage to move about and finish their essential work in somebody else's car if they cannot obtain more petrol. Sometimes even some of the Ministers, and the I.C.S. officers, these bureaucrats, have to attend their offices travelling in somebody else's car or even by street cars. Here then, who is going to be affected? The people, the common people for whom consumers' goods are being carried by lorries now and who have to travel by buses, it is they who are going to be adversely affected by this enhanced tax. In 1941 it was introduced with this idea that roads would be developed in this province. The roads are still in the filthiest condition in this province. Of course the Hon'ble Minister will immediately say that the military did it. But why don't you repair the roads when you got so much money from the military in the shape of more excise revenue, more sales tax and more betting tax? Why could you not utilise that money to keep these roads in good order, not speak of executing any road development project? You stopped payment of the motor vehicles tax, I mean the payment of the share of such fund to the municipalities or the district boards for the last 9 years and nothing has been done to help these municipalities or district boards even to maintain the roads in their respective areas. But you could always criticise their administration that their roads were absolutely filthy because you could not drive your good cars on those bad roads but you do not know what harm you did to them. You did not even help them when they approached you for permits of *jhama* metal for their use on roads so that they could repair the roads themselves but Government pleaded their inability. I put questions but such answers perhaps will be coming that this was not so. I will prove, Sir, in this Council with documents that it was so refused and Government

did not help them even by lending road rollers after they took theirs for their work and then made them over to the Military. Even now in most of the municipalities neither compensation nor roller on rent as help is forthcoming. In some cases of course the rollers has lately been replaced but the prices of stone and *jhama* metal, etc., have shot up and there is financial difficulty but no contribution is still forthcoming from the Government.

Now, Sir, about the labour movement, the labour policy of the Government is vague and not progressive. Let me cite one instance. In 24-Parganas municipalities the sweepers and the conservancy workers struck work on the plea that they must get more dearness allowance. The municipalities being unable to pay this dearness allowance approached the Government and the Labour Commissioner. The Labour Commissioner quietly said, Yes, their pay should be increased from Rs. 12 to Rs. 40 but he did not care to find out how the municipalities could pay this. The Government tried to bring the demand down to Rs. 30 and they did it. They then superseded one municipality on the ground that the services under them were not being properly managed. Now in the same municipality within a month of its supersession the conservancy workers struck work and what happened? The Government had to increase their wages to Rs. 36 and in the neighbouring municipalities the wages stood at Rs. 30. Now came the bungling—*methars* strike began in the neighbouring municipality where workers from other municipalities incited those workers loyal to this municipality and the wages had to be raised again. In the neighbouring municipality the wages next went up to Rs. 39 sanctioned by one of the Government officers. Even now the Labour Commissioner or the District Magistrate has not come to a decision by formulating a uniform policy as to what is to be the basic wage of such workers and whenever they are approached they avoid the question. Look at the other side of the picture—whenever there is a strike of conservancy workers and sweepers within the jurisdiction of the Corporation with a demand for more wages, because the health of the city will suffer and the sanitary works will completely collapse, the Corporation being the pet boy of the Government, although Government are always chastising it as the worst administration in the province the Corporation of Calcutta are being helped with huge sums of money. When a suburban municipality comes in for help, for cheap food for the menials amounting to only Rs. 1,947 it is refused by the Finance Department and it is informed that this should be paid out from the municipal funds, because as they were carrying on so long they could as well carry on, however slender their resources may be and whether they can effectively carry out their duties or not.

I now come to the problem of the Industries. Only one crore of rupees has been set apart for this purpose, but nowhere is there any constructive idea visible, there is no planned scheme for development about this post-war reconstruction which should develop the industries and absorb the huge number of unemployed people round about Calcutta and the industrial area; this serious matter did never agitate their minds. Myself through the All-Bengal Municipal Association at a time when the present Finance Minister was its Vice-President moved for the collection of statistics of unemployment in the urban areas as far back as the year 1936. We tried for Government help during the collection of the statistics during the census of 1940. Government kept silent, much too busy with their own census for political purposes. When the full census was prepared, the unemployment figures were either not published or even if some kinds of figures were managed when one searched for such papers one was told that those were out of print, but the fact is that there is no actual figure or census of unemployment of skilled workmen or other classes of manual workers—not to speak of municipal urban areas, where it would have been easy to compile an

intelligible document on unemployment statistics, but there was nothing of the sort. And what is supposed to be there is absolutely fictitious and unreliable.

Coming back to the taxation, Sir, there are several sources which Government could have easily tapped instead of taxing the poor common people. No. 1 on the list should be not only the enhancement of the betting tax, excise duty or sales tax as they are going to do, but the imposition of a license fee of 25 lakhs to be imposed on the R.C.T.C. as has been done in Bombay. Then, there is the nationalisation of the bus and other transport services in the city. In no time these would have contributed a lot of money to the Government exchequer. But the Government is sitting tight. They have the idea that they will some day put up a Transport Board, and take over the Tramways, but perhaps this idea has receded to the background. So I at present want to restrict myself to taking over the bus service only. This has been done by the Punjab Government and they are profiteering by the same. There exists at present no big vested interest behind this service to fight and Government could easily take them over to ameliorate the conditions of the travelling public. Then they can increase the tax or excise duty on imported foreign liquor and on "India-made" foreign liquor, the new type of brands that are coming up. But I would not now advise increase of duty on country spirit. It may be agreed however that if the tax on this foreign liquor is increased less people will purchase it, because the soldiers have gone away but the facts are that still there are enough people addicted to foreign liquor available to pay for your administration. It is not a sound practice but if there are drunkards in the country let them pay for their amusement and indirectly for your administration also. Of course this will not prevent wasteful expenditure by you, but who knows that a body of men is not going to come forward as representatives of the people some day who will sweep you and us off the feet?

There is another point before I stop and that is that under the new conditions and at a time when you are troubled with, as you say, paucity of funds you are going to purchase 400 jeeps and some aeroplanes. Sir, there are lots of aeroplanes and private aeroplane-owners who could have taken you to your Constituent Assembly or anywhere else——

The Hon'ble Khan Bahadur MOHAMMED ALI: Perhaps aviator Mr. Biren Roy also might oblige.

Mr. BIREN ROY: Yes, but I have not yet got an aeroplane of my own. But instead of doing any such thing, Government are purchasing them at State expense for their comforts. Why not make use of them in the interests of the common people in taking out their letters for instance, and delivering them in the districts of Bengal instead of using them to crush them in the streets of Calcutta? That would be doing a good job unto the ordinary folk. Aeroplanes could also be used for sending money orders and helping private educational institutions whose monies are all invested in Postal Savings Banks accounts and are hence in great distress in not being able at the present moment to draw any sum. You will say—it is the duty of the Central Government. But you are out to fight for your sovereign Pakisthan, so you should render help for such services in your province when people are suffering. There are lots of subjects, but, Sir, as I had the privilege of initiating the debate, my other friends must have the credit of these up in details one by one.

Mr. BIRENDRA KISHORE ROY CHOWDHURY: Sir, it is with great pleasure that I rise this afternoon to speak on the Budget statement which my friend the Hon'ble Finance Minister made in this House a few days ago. Before, however, I take up different aspects of the Budget which he has introduced for appreciation and criticism, I would like to refer to a

fact upon which my honourable friend put a good deal of emphasis. We are sincerely glad as he certainly was that the administration under section 93 was replaced on the 24th April by a Government responsible to the elected representatives of the people. But, Sir, just as an extraordinary set of circumstances made possible the establishment of section 93 administration in this province, so also a peculiar set of circumstances and a peculiar system of electoral representation have given a new meaning to the responsible Government which has been in operation in this country, particularly in Bengal. The electoral representation which is in vogue in this province has made it inevitable that a Muslim Ministry enjoying largely the goodwill of the Muslim community in Bengal may not enjoy the support of the Hindu community which constitutes 44 per cent. of the province's population. In view of this fundamental fact I would have been glad, as I am sure other colleagues of mine in this House would have been glad, if a satisfactory arrangement had been arrived at between the League and the Congress parties in Bengal and if a joint Ministry consisting of the accredited representatives of the two parties could be constituted in this province. It is my hope, Sir, that the Hon'ble Finance Minister and his Chief will soon find out ways and means for such intimate collaboration with the party now in opposition——

Mr. BIREN ROY: On a point of order, Sir, there is no Minister in the House.

The CHAIRMAN (Mr. C. Morgan): I have sent for the Finance Minister; he is coming.

Mr. BIRENDRA KISHORE ROY CHOWDHURY: It is not my desire, Sir, this afternoon to enter into the details of the financial implications of the budget as whole. That is a matter which, I am sure, will be taken up by men more experienced than myself in financial affairs. But I shall be failing in my duty as a member of this House if I do not touch upon some aspects of public administration affected by the Budget which my friend the Hon'ble Finance Minister has placed before us. Under the head "Police" schemes of additional expenditure have been embodied in the Budget. The intention of the Government is certainly to make the police organisation more effective and more useful. The question however arises for which purpose the police will be more effective and to whom it will become more useful. As things stand, cases of theft, robbery, murder, arson have been ever on the increase. In the very heart of Calcutta, in a locality not far from the place where I happen to reside there have been during the past one year at least 9 or 10 cases for burglary and theft. As far as I know, the police has failed to unearth the sources of any of these crimes and detect offenders in any one of these cases. People are so disgusted with the inefficiency of the police and with its inability to cope with its normal responsibilities that they have virtually ceased to report such cases to the police station. It is my hope that my honourable friend, the Home Minister, will see to it that the police is not made more efficient only for purposes upon which the Central Government at the present time may have set its heart but also for purposes which affect the immediate interests of the people of the province.

In General Administration also considerable extra expenditure has been budgeted for, evidently to raise it out of the rut. The Bengal Administration Enquiry Committee over which Sir Archibald Rowlands happened to preside drew up a very lurid picture of the system of administration in this province. The Rowlands Committee drew pointed attention to the fact that communalism in recruitment and in promotion of the civil servants was largely responsible for the great demoralisation which had overtaken the administration. Unfortunately, during this short period of the present Government's tenure of office, report after report has come over to us of cases of supersession of Hindu officers only on the ground of their belonging

to a particular community which is not in a majority in Bengal and which has no representation in the Ministry. I know, Sir, the kind of influence that is brought to bear upon the Ministry from day to day. But I expect my honourable friends who preside over the great departments at Writers' Buildings to rise about this influence. The Hon'ble Finance Minister has referred in his statement to a scheme which has been drawn up for the purpose of liquidating the Permanent Settlement. He had told us further that this scheme will be at first put into operation in the districts of Faridpur, Bakarganj, Burdwan, Hooghly and Howrah. We do not yet know anything as to the principles and details of this scheme. The sooner the Government of Bengal takes the public into its confidence as to the exact nature of this scheme the better for all. It is not the occasion when I may be expected to say anything for or against the continuance of the existing land system. But I think it is time that the Government place all their cards on the table in this regard.

I take this occasion, Sir, to congratulate the Hon'ble Minister on that part of his statement which is concerned with the Medical and Public Health arrangement the Government proposes to make in the present year. The increase of hospital accommodation and greater facilities of higher medical education have become urgent in this province. It is a source of pleasure that the Government is alive to these urgent problems. But while I congratulate the Ministry on the steps which it is going to take in this regard, I do not know how far the arrangement is part of a comprehensive scheme for better health and hygiene in Bengal. The Bhore Committee submitted its report quite a few months ago. Its recommendations are intended for application in all the provinces of this country. I shall be glad to know from the Hon'ble Minister in charge of the Public Health Department that the steps which he is contemplating to take will ultimately lead to the full co-operation of the scheme which the Bhore Committee has propounded. In this connection I should further refer to the new provisions which the Government is making to fight the scourge of tuberculosis in this province. I am glad to learn that a tuberculosis sanatorium is being set up at Amulia in the district of Burdwan and a tuberculosis hospital is being opened at Kanchrapara. This is certainly a laudable piece of welfare work. But while these institutions will be expected to help a good deal in fighting this fell disease, we should not forget the great service which the tuberculosis hospital at Jadavpur has rendered for so many years and is likely to render in the future. It is our desire that the Government should come to its help with a generous financial grant every year. I wish that I had seen some reference to this hospital in the budget statement of the Hon'ble Finance Minister. It is also necessary, Sir, to point out that while expansion of hospital beds and dispensary facilities is undertaken, it should not be forgotten that the success of Government activities in this field is to be measured not merely by quantity but also by quality. I know of certain hospitals in the districts which are more ill-equipped than they should be even in those places. I may be permitted, Sir, to cite one example. The Missionary Hospital at Kalimpong which I happen to visit rather frequently and which is attended by several qualified doctors—male and female—should attract the attention of the Government far more than it has succeeded in attracting so far. A more liberal financial grant particularly a non-recurring capital grant will help that hospital now as it badly requires sanitary arrangements and kitchen and more beds.

The Department of Civil Supplies and its ancillaries have come in for a good deal of criticism at the hands of the public. I believe, Sir, there is a good deal of reason behind such criticism. I do not know if there was any valid cause for the shortage in cereals with which we have been confronted for the last few months. Possibly, if the Government had taken time by the forelock, the shortage might not have arisen and the necessity for continuing the Civil Supplies Department would not have been there at all. But there will be other members of the House who will speak at length

on this aspect of the activities of this none-too-popular a department. But in respect of the supply of cloth to the public, particularly of Calcutta, I have much to say. It is the belief of the general public that if export in large quantity is stopped and if the movement is ensured between province and province and between district and district in a province, the necessity for rationing and for all kinds of Government control in respect of clothing would vanish. It is time that the Government enlightens us further as to the exact position of manufacture in this country and as to the possibility of import from outside. But even if the present rationing and Government control are maintained there is sufficient scope for improving the arrangement for supplying clothing to the public. First of all, we notice that there is a margin of nearly a rupee and a half between the *ex*-mill price of a piece of cloth and the retail price at which it is supplied to the public. In normal years before the war the difference between *ex*-mill price and retail price was never more than 4 or 5 annas per pair of dhoti. Now for each piece the difference is nearly a rupee. I do not know if the Government can justify this arrangement. But we are told that there is a large body of so called quota-holders who for historical and not for economic reasons are allowed to eat a good amount of profit without contributing anything either to the manufacture or to the sale of cloth. We are told further that the Bengal Textiles Association makes out an excellent profit from this arrangement while the public suffers. I should also, Sir, invite in this connection the attention of the Hon'ble Minister to the fact that every ration card-holder in Calcutta is now tied to a particular shop. The result is that he is completely at the mercy of that shop-owner. I think, Sir, this arrangement should be scrapped without delay and ration card-holders should have the option to buy wherever he chooses provided only he has sufficient coupons at his disposal.

I have, Sir, made certain criticisms of the policy which the Government is pursuing and proposes to pursue in the ensuing year in this province. It is only my hope that this criticism will help the Government to get acquainted with the feelings of the general public of Bengal in this regard and provide for remedies where remedies are necessary.

Rai Bahadur DHIRENDRA LAL BARUA: Mr. President, Sir, the Budget Estimates for 1946-47 are now before this House for observations and discussion. In presenting them the Hon'ble the Finance Minister has stated that the province of Bengal has to meet a deficit of 10 crores. The question naturally arises, how to make up this huge deficit? The Hon'ble the Finance Minister is frank enough to say that this province is incapable of meeting this exigency from its own resources or by any further taxation. All the possible sources have been tapped. So many new taxes have already been introduced that the present popular Ministry has not the courage of resorting to any further taxation, for that would be unjust, unduly hard and inexpedient. The province as proposed will strain its resources even to a breaking point. And yet the expected revenue is hopelessly insufficient for coping with the situation. In such an emergency as this there is no other alternative but to approach again the Government of India to come to the rescue of the province in her present helplessness. Here I may observe that we are not to go to the Central Government with a begging bowl for doles only. It is a matter of right and fairness that we should ask the Government of India to liberally contribute to the provincial revenue, not only to wipe out the deficit of 10 crores but also to save the life and property of the starving millions of the province. The people of other provinces reaped the full advantage of the war situation while the people of Bengal bore the whole brunt of the war. It should not be that Nero should be fiddling while Rome is burning.

The only redeeming feature in the current year's Budget is that the Government of India have provided 10 crores for giving effect to some of the post-war development schemes. I notice that the current year's budget

provides 13 crores for extraordinary charges and Famine Relief. This amount seems to have been stipulated without anticipating the occurrence of the terrible and unprecedented floods in Chittagong affecting 600 square miles and causing great havoc and devastation to 50,000 families, livestock and foodgrains. Even a sum of 2 crores will be inadequate to meet the essential requirements. I am definitely of opinion that the Government of India will be failing in their duty if they do not sufficiently strengthen the resources of the over-taxed province with a contribution of at least 5 crores extra. I dare say that the Government of Bengal cannot possibly render the needed relief to Chittagong even with 2 crores.

The total provision made for schemes included in the development programme is 12 crores 10 lakhs. Irrigation, Agriculture, Industries, Public Health, Road Development and Education are undoubtedly the most important major heads of expenditure and the broad allocation of the provisions as shown in the Budget will seem reasonable and equitable keeping in view that the province has also got to be healed up of the injuries caused by the last famine and other war conditions. The general impression of the people of Bengal, may be also that of the other provinces, is that even one-tenth of the amounts provided in the Budget is not available for the actual work, while the major portion goes to benefit the Government staffs and other agents. It often happens that the world stands to carry coal to Newcastle. I hope and trust that if the popular Ministry desires to earn the gratitude of the province they must see that the sums provided bring real benefits to the people concerned. The allocation made for the improvement of the lot of primary school teachers and for their training is quite generous. But at the same time it should be remembered that to ensure the real progress of the province and the country as a whole the primary need at the present moment is to advance the course of higher education and researches in all departments.

With regard to education, I have been asking the Government to provide Rs. 20,000 for the encouragement of higher, general and technical education among the Buddhist boys and girls. I have submitted my scheme. I have said "Please do commence even with a provision of Rs. 10,000". You are all aware of the cultural heritage and international importance of the Buddhist community. I have tried off and on to apprise you of their extreme poverty and helplessness. If both the major political parties swear to the safeguard of the interests of the minorities why should you grudge this petty amount, if it helps this important section of the people to improve their prospects in life? So in the fair name of this province, I earnestly request the popular Ministry to make a statutory grant of a reasonable amount for Buddhist education in all the areas.

Rai Bahadur JOGENDRA NATH ROY: Sir, the Budget of our Hon'ble Finance Minister is presented to the House at a time when the famine wolf is howling at the door of India and Bengal is already strained white by the exigencies of the war and its effects. Post-war Bengal is not pre-war Bengal and circumstances have palpably and markedly changed bringing in newer and more serious problems for solution together with the need for the framing of plans and schemes for a better and reconstructed Post-war Bengal. Naturally it is a heavy task for any Finance Minister to face openly and squarely every problem in its true perspective in relation to the pressing problems and immediate post-war peace plans. A young man with no sound experience in the exchequer and ill-equipped with the knowledge of the inter-related problems of present and future Bengal, our Finance Minister seems to be stupefied by the enormity of the tasks which he has to face as a legacy of his occupying the Chair of Bengal's Chancellor of the Exchequer.

The deficit Budget is not a new thing for Bengal and I must thank the Finance Minister in securing the Central Government's grant to meet the development project expenses of the next year to the extent of 12½ crores.

But the Finance Minister seems to be bewildered at the darkness of any prospect for increasing the province's revenues and liquidate the deficit. Famine, disease and flood as also the burden of heavy taxation have already bled Bengal white and fresh taxation means her collapse. The increase in the rate of motor spirit will ostensibly affect the rich but it will affect the poor inasmuch as the rate of fares of public buses and the rate of transportation charges will rise and it will affect the pockets of the poorer classes of society more than it will affect the rich.

Finding no way, out the Finance Minister trembling in despair proposes to look up to the gods of the Central Government above for help for the purpose of general administration and police. But it passes our comprehension how the Central Government can come to the scene of granting money for police jeeps and wireless sets and planes for the Minister? Can the hearts of the gods of New Delhi be moved by appeals from no other standpoint? The decision of the Ministry to increase all on a sudden the touring facilities and the mobility of the police force and the armed reserve force passes our comprehension. Why all this show of tightening the grip of the police when politicals are still rotting in jails. If the police is thus reinforced with improved mechanised mobility, why the Ministry is afraid of releasing the politicals, why our Hon'ble Chief Minister fails to give any date for their release, or is he waiting for this preparation of the police militia before he could venture to release the tigers in the politicals whose only crime was that they loved their country more passionately than most of us, or is the Ministry making this police reinforcement to check the hunger marches of the living human skeletons from Bengal villages which are already a reality? Is the Ministry afraid to meet face to face the famine striken people because of their wise knowledge that a hungry man is up to anything? Do they require planes to study the condition of the people from a higher and newer angle from above where even the heavy sighs of pangs of hunger will not torment the seasoned conscience of the Ministers? Could not the Ministry curtail the expenditure under police and general administration and cut down the higher salaries to provide more money for famine relief and meeting the deficit? We understand the reason behind increment of salaries and dearness allowance of low paid Government employees and we appreciate the move. But how can the Ministry exonerate itself from the fact that the proposed expansion of the administrative machinery of the Civil Supplies Department is but political manoeuvring of the communal Ministry to keep the party in perpetual power. The Civil Supplies Department has now gained historic notoriety of blackguards, bungling, jobbery, bribery, corruption, blackmailing, snobbery. The Department has become a safety valve and bottleneck of corruption. So much so that we can say that corruption is the rule there and not an exception. Food which should have been an all party affair has been turned into party politics to consolidate the League position in Bengal where even the distribution of foodstuff is based on communal system with impunity. I do not think any civil country can conceive of the situation that when foodstuff is rotting in Government godowns people are starving outside and dashing their heads against the godown walls. Can we conceive of a situation that the Government is carrying on a senseless experiment in boat construction with imaginary buyers and giving a goodbye to 1½ crores of peoples' money. I think the Government should utilise these boats to carry the rotten foodstuff from the godowns to the rivers and seas instead of providing a black-market for them through backdoors in the shape of food for cattle, etc. This rotten stuff carried to the bazar will drive the controlled stuff and will find places in the kitchens of the ordinary people only to make them victims of diseases for which again the Government has no medical provision in the villages.

The Government seem to feel relieved at the reduction of charges under civil defence, home guards and civic guards, but nowhere in the Budget is there any mention as to how the disbanded personnel of these services can

be absorbed. The consequent unemployment is a grave and menacing problem which hardly crossed the minds of the Ministry whose cynosure was the League party and its consolidation. The Hon'ble Minister has reasons to be gratified to speak of the provision made in the Budget for the increase in the number of beds in different hospitals and the up-grading of the Dacca and Campbell Medical Schools and establishment of T. B. sanatoria. But now can he justify the temporary medical college at the lake area at a cost of Rs. 21 lakhs? There is enough scope of medical colleges in Bengal and the Burdwan and Bankura medical schools should ere long be developed into medical colleges, but a purely temporary thing will and can only serve the temporary Ministry and not the people.

Coming to education, the Hon'ble Minister has dispensed with it only in a few lines. We appreciate his move in trying to do some belated justice to the primary teachers. But how can he thereby escape the most reasonable demands of the teachers of higher institutions, namely, non-Government High Schools and Colleges, who are starved as a result of the troubled times to the last limits of patience. No Department has been so victimised by the war as this principal nation-building department of education. Starved teachers only exhibit a starving nation to the world.

It is noteworthy that the Hon'ble Finance Minister has tried to gauge the importance of agriculture in the economic life of Bengal and he has tried to make provision, though insufficient, ill-distributed and unbalanced —for cattle-breeding, agricultural research, but he has not made any provision for procurement and production of scientific manures and introduction of machines in cultivation which two things are essential for large scale production. Not a word has been said in favour of "Grow More Food" which got so much publicity of necessity in all papers. He has failed to understand the balance between agriculture and cottage industry in the rural economics of Bengal and so he has only done scant justice to industries by putting in only Re. 1 crore for some electrification here and there and some amount of coastal and estuarine fishery. What is necessary is the provision of an economic holding (inland and cottage industry taken together) for each family so that with the resulting resources the family can live a fair standard of living. Similarly, the provision of money for *bustee*-dweller is like a drop in the ocean. What we do understand is that any Ministry of worth must leave a permanent stamp upon the life of the people in general. Ministries are succeeded by section 93 Administration and it is again replaced by a Ministry. But it does not matter much for the people for their purposes.

The present Budget does not promise to effect any substantial change in the general rise of the standard of life of the people. It can hardly scare off the wolf from the house. It smacks of a communal mentality from top to bottom and the Budget seems to me to be more routinised than it is far-sighted and imaginative, it is more bureaucratic than democratic, more hesitating than progressive; it has more bungling than it has planning, it is more time-serving than of real worth, more city-centred than village-centred and it seems to be the unpractical draftsmanship of a bewildered Ministry.

Mr. NAGENDRA NATH MAHALANOBISH: Mr. President, Sir, if I am disappointed at the Budget presented to us I must say that the disappointment was foreseen. I did not expect anything better at the hands of the present Ministry, not because I have got any personal reflection to make against the Finance Minister, but because I know that in the nature of things it will be a disappointing Budget, because of the 93 regime Government, because of the fact that the Ministry has come into power only 3 months ago, and they could not possibly do better. Therefore, I would just say that I must take the Budget as it is a *mamuli* Budget, as a Budget that has not been framed by any Minister having any imagination to ameliorate the distress of the people in the province, but I take it as a Budget that

has been compiled perhaps by the humblest clerks from the Subdivisional Offices and so on and then sent to the Secretariat which the Secretary to the Finance Department has assorted and made up into what it is.

Now, Sir, the prime need of Bengal today is food and clothing. I do not find anything in this Budget which would go to show that the Hon'ble Minister in charge has given any special attention to ameliorate the distress of the people in the country. We find several crores allotted for the purpose of subsidised food, for dearness allowance allowed to Government officers but what about the unfortunate ordinary people beyond the pale of Government service. Price control has been kept so far as paddy and rice is concerned at a level much higher than the ordinary people can possibly find it convenient to buy. I submit that this has been the policy which ought to have been revised long long ago. I am told that under the Control order now in force retail price of rice is about 8 annas and 3 pies per seer. If that is so it comes up to near about Rs. 21 a maund though the ceiling price is fixed at Rs. 13-12 annas and Rs. 12-8 annas in some districts according to what you call the deficit district or the surplus district and so on but ordinarily if a man sells a seer of rice at 8 annas you cannot get hold of him as contravening the price control. And how many millions of Bengal have to buy rice at such price. How many of us can buy rice at the wholesale price. I do not know if the Hon'ble Ministers have ever taken that fact into consideration. The labour force in the industrial areas, the labour force in the tea garden areas, they are helped by their employers. The employers have to purchase rice or paddy at abnormally high prices but still the labourers will have to be supplied with rice, say, at Rs. 5 or 6 per maund. Such sort of concession the Government also show to the poorly paid employees under them. Now leaving aside these great employers of labour, namely, the Government and the industrialists, there is still a large number of people in this province who cannot find it possible to buy rice at the price that has been fixed by the Government. Why should not Government revise these rules, revise their Control Orders and fix a reasonable price for paddy and rice that I cannot understand. You may be short of foodgrains. That one can understand but why should you artificially keep the price at such a high level so that the black-marketeers and the profiteers may have many days within which to pile up their wealth. I would, therefore, request the Government to reconsider and reconsider immediately the price level of paddy and rice.

Now, Sir, the question of foodgrains would necessarily raise the question of paddy that is grown in Bengal in spite of the large population of Bengal and it is often said by many in high quarters that Bengal is over-populated and the Bengalees deserve to be starved. But I say that in spite of this population in Bengal the land in Bengal is sufficient to maintain the population if only you actually get your lands properly cultivated, manured and irrigated. Bengal, I am told, is a country where the land yields the lowest amount of paddy crops per acre and this is a fact which ought to have been taken into consideration by the Hon'ble Minister in charge of Agriculture and he should have found it possible to devise means as to how to increase the production of paddy in Bengal. By proper manuring and proper irrigation, I have not the slightest doubt that the production of paddy in Bengal can at least be doubled. If that is done, I submit, that Bengal's food problem would be solved.

We find in this Budget very small items of irrigation scheme for which some lakhs of rupees have been allotted but in my humble opinion this sort of small irrigation schemes is absolutely of no use at least of no permanent use to the country and the money spent over these small things is, to my mind, sheer waste. The only irrigation schemes, I have heard of so far as Bengal is concerned are the schemes which His Excellency Mr. R. G. Casey broadcast the other day before he left Bengal, under the caption "Plenty or Poverty". These schemes are the schemes of the Damodar Valley

Barrage and Dam and the Teesta Valley Barrage and Dam and the Brahmaputra Barrage and Dam. These are schemes which, if taken up and properly executed, will, I think, solve the problem of Bengal's food. I do not find anything in this budget which would indicate that the Teesta Valley scheme has been seriously taken up, though the work of the Damodar Valley scheme is in progress. But why have you neglected the Teesta Valley Scheme which would irrigate and electrify a large portion of northern and southern Bengal? I do not see any justification for not providing for the other scheme, namely, the Brahmaputra scheme. If you stop wasting all this money in all these short and small schemes which would do good to nobody, you will find that you can conserve this money for schemes which will work to the good of the country and that permanently.

The question of food, being a vital question in Bengal today, should not be neglected in the way in which it has been done. After the aftermath of the 1943 famine we were told at the beginning of 1946 that Bengal would never have to face another famine of the magnitude that overtook it in 1943. We were told that we had sufficient stocks of paddy in Bengal so that Bengal may tide over the rice crisis of 1946. That was repeated over and over again in the beginning of this year but only recently we are told that Bengal is going to face another famine, a famine of a more severe type than that which occurred in 1943. I submit that Government do not know their own minds, do not know the facts and they are wasting the foodgrains of the province by their callous indifference in spite of their having a large number of officers, inspectors and so on and so forth, but still we find in the papers reports of wastage of thousands and thousands of tons of rice and atta in the different districts of Bengal.

Now, Sir, we do not know what steps Government have taken or propose to take to prevent this wastage and I do not find anything that Government have done with a view to find out who are responsible for this criminal negligence in keeping these stocks in a proper condition. Why such a large quantity of foodgrains was allowed to rot and allowed to be sold as fodder while millions are dying for want of food, nobody knows and no explanation is forthcoming from Government quarters. No assurance has been given that there will not be any recurrence of this wastage. The Government is run by the representatives of the people who cannot protect the foodgrains taken away from the people for the supply of deficit areas. I do not think any Minister or any Ministry can have the confidence of the people if they allow these things to continue. I, therefore, draw the attention of the Ministry as a whole—not only the Agriculture Minister or the Finance Minister—I draw the attention of the Council of Ministers—and ask them to sit and devise means to prevent such criminal waste of foodgrains and then to find out who were responsible for the wastage that has already been done and to devise means, as I have already said, to prevent a recurrence of this state of things.

Then, Sir, I find a lot of money has been allotted for the Grow More Food campaign. Well, as a campaign it is all right and it sounds very well. But I may say without any fear of contradiction that this Grow More Food campaign is absolutely worthless. It has done no good to anybody. The money that has been spent for it has been wasted and is going to be wasted this year. We protest against this sort of waste of public money. It is no use carrying on propaganda. If you want to have propaganda you can publish your photograph in the *Bengal Weekly* for any motive—for propaganda or for advertisement, whatever it may be—but please do not waste public money by saying that you are advancing the interest of food production of the province. In the name of food production you are making propaganda.

May I ask the Hon'ble Ministers to take into consideration how much of the paddy crops of Bengal has been affected by water-hyacinth? Have they

tried to ascertain what damage has been caused by this pest? This water-hyacinth pest came to Bengal about 40 years ago. It is growing in dimension every year and today there is practically no inland water where you do not find this pest. The *beels*, *khals*, rivers and tanks are all covered by this pest and large paddy fields in the *beel* areas are swept away like avalanche by the water-hyacinth pest. If you protect the land and water from the scourge of this pest you will increase the production of foodgrains in Bengal——

Mr. PRESIDENT: Order, order. How long will you take to finish your speech, Mr. Mahalanobish?

Mr. NAGENDRA NATH MAHALANOBISH: I will take some more time, Sir.

Mr. PRESIDENT: Then I must adjourn the House now.

Adjournment.

The Council then adjourned till 2-15 p.m. on Friday, the 2nd August, 1946.

Members absent.

The following members were absent from the meeting held on the 1st August, 1946:—

(1) Mr. Abdulla-al-Mahmud,
(2) Mr. Yusuf Ali Chowdhury,
(3) Khan Bahadur Sheikh Fazal Ellahi,
(4) Sir Md. Azizul Haque, Khan Bahadur,
(5) Mr. Mungturam Jaipuria,
(6) Mr. Humayun Z. A. Kabir,
(7) Maulana Md. Akrum Khan,
(8) Mr. Syed Abdul Majid,
(9) Khan Bahadur Mukhlesur Rahaman, and
(10) Mr. F. C. J. Steuart.

BGP-46/7-7865A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session—No. 7.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 2nd August, 1946, at 2-15 p.m., being the 7th day of the first session, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Primary Education Conference.

50. Mr. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether in June, 1945, or thereabout a Primary Education Conference was held at the instance of the Minister of Education? If so, what was its purpose? When was it held and where?

(b) Is it a fact that it recommended a change in the existing system of the production of text books for primary schools for the grant of monopoly right in the matter to the Government of Bengal?

(c) Is it a fact that the representatives of the Calcutta University voted against the proposed recommendation? Is it a fact that the representatives of the All-Bengal Primary School Teachers' Association also opposed the proposal?

(d) Are the Government going to make the recommendations of the said conference the basis of any decision for a complete departure from an old and established system of the production of text books for the primary schools?

(e) Is it not a fact that at present the Education Department lay down the syllabus of primary education and then the writers freely compete and write books in strict conformity thereto?

(f) Is it not a fact that these, after publication, are scrutinised by the Text Book Committee which approve some and reject others?

(g) Is he aware that there is a great apprehension in the minds of the public that the monopoly right for publication of text books if given to the Muslim League Government will lead to a serious deterioration of the language, literature and culture of Bengal and will infect young minds with the virus of communalism?

(h) Will the Government before accepting the recommendations invite the opinions of the public on them? Will the Government stay its hand in giving effect to those recommendations, if the concensus of non-Muslim opinion be against them? If not, will the Hon'ble Minister be pleased to state the grounds for the acceptance of the recommendations of the conference.

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (a) A conference was held in the Assembly House (Committee Room) on the 24th June, 1946, to consider various problems relating to Primary Education in Bengal.

(b) The conference considered if additional funds could be secured from text books for the benefit of primary schools and teachers. It was resolved that "publication should be made by Government on condition that profits were reserved for expenditure on Primary Education".

(*c*), (*e*) and (*f*) Yes.

(*d*) The recommendations of the conference on the subject are under examination.

(*g*) No.

(*h*) Government will invite further public opinion if as a result of the examination of the recommendation of the conference they want to exercise monopoly right in the matter of publishing primary school text books. The other portions of this part of the question are hypothetical at present and Government are not prepared to answer them.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state how many representatives were present at this conference—their total number?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: About 70 or 80.

Mr. LALIT CHANDRA DAS: How many representatives of the Calcutta University and the Primary School Teachers Association were there?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: About 6 both taken together.

Mr. LALIT CHANDRA DAS: Who were the other representatives?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The rest were District Board Chairmen, Vice-Presidents of District School Boards.

Mr. LALIT CHANDRA DAS: Did the objection of the representatives of the Calcutta University and of the representatives of the all-Bengal Primary School Teachers Association relating to the commercialisation of examination in the manner proposed was due to the fact that they were against commercialisation as proposed, namely, that the "profits were reserved for expenditure on Primary Education."?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I do not understand what is meant by commercialisation.

Mr. LALIT CHANDRA DAS: That the profits would be reserved for expenditure on primary education.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That is there.

Mr. BIREN ROY: It appears that the Government are going to monopolise all avenues of money making. As such would the Government consider the advisability of opening Dog racing and some gambling houses with Government patronage with a view to making more money and leave those little children free to purchase text-books of their choice?

Mr. PRESIDENT: Order, Order. That question does not arise.

Mr. HAMIDUL HUQ CHOWDHURY: Is it a fact that the Calcutta University has the monopoly right in the matter of publications for the colleges and other educational institutions under them?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I think so.

Mr. KAMINI KUMAR DUTTA: Considering the vital importance of one aspect of this matter, namely, that these books would be the medium of conveying the first idea of nationhood to the young mind, would the Hon'ble Minister be pleased to state whether these recommendations of the conference can be placed before this House for discussion?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: It has already been stated that public opinion will be ascertained before any final decision is taken.

Mr. KAMINI KUMAR DUTTA: I want a little more definite information. Will the Hon'ble Minister be pleased to consider the advisability of placing the recommendations of the conference before this House?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I do not think it is at all necessary now, because they are being examined by the Government and before Government come to any definite decision public opinion will be invited and at that time it may be considered whether the recommendations can be placed before this House.

Mr. KAMINI KUMAR DUTTA: Would the Hon'ble Minister be pleased to answer one particular matter, whether in the recommendations there is any safeguard against the inculcation of any communal bias in the text-books?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: It was never thought by anybody that there could be any communal bias in writing these text-books, not even by those who attended the conference. It is only here for the first time I hear of communal bias that may be introduced in the text-books.

Mr. KAMINI KUMAR DUTTA: I simply asked whether any safeguard has been provided or not.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Nobody thought that any safeguard was necessary because there could be no question of any communal bias in writing school text-books.

Mr. HAMIDUL HUQ CHOWDHURY: Are the Government aware of the communal bias in all the publications of the Calcutta University against the Muslims?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Complaints are heard to that effect.

Mr. HAMIDUL HUQ CHOWDHURY: Have the Government received any representations from the Muslims for removal of the objectionable passages in those publications?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, sometimes complaints are heard.

Mr. HAMIDUL HUQ CHOWDHURY: Will there be any committee appointed for the purpose of selection and approval of these primary school books before they are ultimately decided on by the Government?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Certainly.

Mr. HAMIDUL HUQ CHOWDHURY: Will there be Hindu representatives on this body?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Certainly.

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister be pleased to state if this step to nationalise the industry of text-book making is a preliminary step to the nationalisation of other industries, such as, jute and coal of Bengal.

Mr. PRESIDENT: I do not think that question arises.

Mr. HARIDAS MAJUMDAR: *Arising out of reply (a)* "A conference was held in the Assembly House", etc., what does the Hon'ble Minister mean by this? If this House is meant, it should be called the Legislative Building. It was known as the Council Chamber before. Now it has been renamed as the Legislative Building. It is the Assembly House as is referred to in the answer. I think this is not in order. Therefore what building does he mean by this Assembly House?

(No reply.)

Mr. NAGENDRANATH MAHALANOBISH: Will the Hon'ble Minister be pleased to state if before taking up the idea of Government monopoly of text-books on primary education Government tried to find out other sources of income for financing primary education?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, they tried other sources and imposed taxation on sales with this object in view.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please state if it is a fact that representatives of the Calcutta University and representatives of the All-Bengal Primary School Teachers' Association objected to the principle, because they were under the apprehension that this would lead to deterioration in language, literature and the culture of Bengal and would infect young minds with communalism?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: No, they never made any statement to that effect.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister state the ground on which these representatives opposed the proposal?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I could not say that. The statement made by them was that they did not think it proper to monopolise the whole thing, because there would not be competition among authors and their writing would not be so good.

Mr. NUR AHMED: Is it a fact that the Bengal Primary Education Committee recommended the publication of primary school text-books by the Government to finance the expenses of primary education?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I am not aware: I want notice.

Mr. LALIT CHANDRA DAS: Did the Hon'ble Minister put the proposal to vote?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes.

Mr. LALIT CHANDRA DAS: Being sure that the representatives of the Calcutta University and the representatives of the Association would be defeated at the Conference?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: What do you mean?

Mr. LALIT CHANDRA DAS: I mean this: they made a statement at the Conference and from that statement it was clear that they were opposed to it, that there was division and you took votes?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, but how does the question of our being sure that they would be defeated arise?

Mr. NAGENDRANATH MAHALANOBISH: Will the Hon'ble Minister please state if he has any idea of the income from this source?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Probably in the region of 25 lakhs.

Mf. PRESIDENT: Questions over.

Short-notice Questions.

Mr. HARIDAS MAJUMDAR: May I rise on a point of information, Sir?

Mr. PRESIDENT: Yes, what is it?

Mr. HARIDAS MAJUMDAR: As regards a short-notice question which I sent out——

Mr. PRESIDENT: Regarding what?

Mr. HARIDAS MAJUMDAR: Regarding boat building. There was a suggestion from the Chair some time ago that such matters could be dealt with in budget discussion. But as I want some particulars in this connection which are very useful for my purpose, I would like to have some prior information.

Mr. PRESIDENT: Mr. Majumdar, I think it is a very unusual practice that you are trying to introduce. You have put in a short-notice question, and the matter is being examined by me. If I find that it is in order, then it will be admitted. You should not give notice of a short-notice question and then follow it up by mentioning the matter in the House, without giving the Chair time to examine it. You must give me some time to consider the question.

GOVERNMENT BILLS.

The Calcutta Rent Bill, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I beg to introduce the Calcutta Rent Bill, 1946. The Bill was published in the *Calcutta Gazette* and no formal leave is necessary.

Sir, I want to move a short-notice motion about the Calcutta Rent Bill, 1946.

Mr. PRESIDENT: What is your motion?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, with your permission I wish to move a short-notice motion regarding the commitment of this Bill to a Select Commitee.

Mr. NAGENDRA NATH MAHALANOBISH: On a point of order, Sir. Is the Hon'ble Minister in order to introduce a Bill copies of which have not been supplied to us?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Copies are being circulated.

Mr. PRESIDENT: In the case of Government Bill that difficulty does not arise, because it is not a motion asking for leave to introduce the Bill. It has already been published in the Gazette. Yes, you move your motion.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I have the honour to give notice that at the current session of the Bengal Legislative Council, I shall move that the said Bill be referred to a Select Committee consisting of:—

(1) Mr. Nur Ahmed,

(2) Mr. Moazzem Ali Choudhury,

(3) Mr. Hamidul Huq Chowdhury,
(4) Mr. Mohammad Taufiq,
(5) Mrs. Labanyaprobha Dutt,
(6) Mr. Kamini Kumar Dutta,
(7) Mr. Bejoy Singh Nahar,
(8) Mr. Syed Badrudduja,
(9) Mr. Haridas Mazumdar,
(10) Mr. Charles Edward Clarke, and
(11) the mover,

with instructions to submit their report by the 14th August, 1946, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

Mr. PRESIDENT: Amendments to the motion for reference of the Bill to a Select Committee will be accepted up to 3 p.m. on 6th August, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: When will this motion be taken into consideration, Sir?

Mr. PRESIDENT: It will be taken up for consideration on the 7th August, 1946.

The Bengal Finance (Extending) Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I gave notice for taking into consideration my motion about the Bengal Finance (Extending) Bill, 1946, and another motion that the Bill as settled in the Council be passed. Will you kindly fix a date for the consideration of this motion?

Mr. PRESIDENT: Yes. The amendments to this motion will be received up to 3 p.m. on the 5th August, 1946. It is a very short Bill.

General Discussions on Budget.

Mr. NAGENDRA NATH MAHALANOBISH: Yesterday, Sir, I was speaking about water-hyacinth pest in Bengal and I suggested that the money that was going to be spent or being spent for grow more food campaign would be well utilised by establishing a Board for the eradication of water-hyacinth from Bengal. Apart from the question of wastage of paddy crops due to this pest, there are other serious aspects of the matter to be considered, namely, the decrease of fish supply due to water-hyacinth. In Bengal supply of fish mostly come from *khals* and *beels* and on account of the scourge of this pest into these water-channels fish supply has diminished to a great extent with the result that the prices of fish have gone abnormally high. In Calcutta you cannot have a seer of fish at less than Rs. 4 or Rs. 5. That is an aspect of the matter which certainly requires serious consideration of the Hon'ble Ministers.

The next question to be considered in this connection is the question of communication. Honourable members who had occasion to go to East Bengal must have noticed that it is impossible to travel there where most of the journey has to be done in boats, but these boats cannot ply for water-hyacinth in the *khals* and *beels*. Therefore if you can eradicate water-hyacinth, you not only improve the communication, but you improve the supply of fish as also the staple food, namely, rice. I leave this question here and ask the Hon'ble Minister to seriously consider this aspect of the matter.

With regard to cloth, I would only like to say that it is impossible to depend on the doles which the Centre so kindly allot to us. The Hon'ble Ministers have always said that we are helpless in the matter. I submit that they should not rest satisfied with that, but should devise ways and means to clothe Bengal by other means. It is no use relying on the charity from the Centre or from other provinces.

Now, as regards the Civil Supplies Department, I do not think I need dilate upon the corruption that has been going on in this department on which many speakers have already spoken. I would like to draw the attention of the Hon'ble Ministers to the fact that in the mofussil, the distribution is taking communal lines and there has been serious grievances among the Hindus there and other non-Muslims are also complaining to this effect. The complaint is that those who are in charge of the distribution give preference to the Muslim League Party members. This is a matter which is extremely regrettable. The Hon'ble Ministers should see that communal bitterness do not grow in this way.

Now, there is another twin brother of this Civil Supplies Department and that is the Enforcement Branch. It is really surprising that the members of this Enforcement Branch have been selected mostly from the retired police Sub-Inspectors and Inspectors, who are past-masters in the art of corruption and these people have been let loose on the public. I have reasons to believe that these officers are in the pay of the profiteers and black-marketeers and they are sheltering the black-marketeers who are going on as merrily as ever. I would ask the Hon'ble Ministers to seriously consider whether they cannot do away with this Enforcement Branch. I do not think any appreciable benefit is being derived from this Branch. I do not think that if this Branch is abolished we shall be in a worse position.

As the war is over now we think we should seriously consider whether we cannot do away with the Civil Supplies Department. I think we cannot afford to lose so many crores of rupees over the Civil Supplies Department who are simply doing nothing but only wasting the precious foodgrains of the country. I would suggest that after this impending famine is over on the eve of the next harvest, the control of foodgrains should be abolished though you can certainly have a price control. You can fix the maximum price. At the same time you must take particular care to see that the black-marketeers and profiteers are adequately punished. In my humble opinion the punishment for black-marketeers and profiteers should be nothing short of the extreme penalty—say, death sentence. In France they have introduced guillotine to punish these profiteers. I think in a few months the black-marketeers will disappear by introduction of such punishment. I am quite sure that this Ministry, or for the matter of that, any Ministry, cannot cope with corruption, if you allow the Civil Supplies Department to function.

Then, Sir, I would like very briefly to refer to the grant to the police, for what is called, "to increase the strength of the force and to enhance its efficiency by providing it with up-to-date equipment". The Hon'ble Minister has very kindly omitted from his statement what that equipment is. But I am told that that equipment is nothing short of tommy guns and Bren guns, telephones, radios and other things. Now what do you want to equip the police with these things for? Do you want to fight with the public? Do you want to fight with the people of this province with your police or do you want to keep peace and order in the country? If you want certainly to fight with the people of this country, well, you can say so frankly and make your preparations for that. But if it is for the keeping of public peace, tranquillity and order, I do not think that, at this stage, in the present state of the country where the people are facing flood and famine, this expenditure of such a large amount is justifiable. Let the

police wait for their equipment for another year or two. I think we can carry on as we have been carrying on all these years.

Then, Sir, with regard to the jeeps, well, I do not know if these jeeps are really necessary for the District Officers. Perhaps some may be required for use in Calcutta. But so far as the District Magistrates in the moffusil are concerned, many of the District Magistrates have become *purdanashins*. It is extremely difficult to meet them and especially when the lawyers have got any business, they do not find them. You will either have to run to their bungalows or to wait outside, when the District Magistrate is sitting behind his *purdahs* and talking with subordinate clerks. Lawyers and advocates have to wait indefinitely till they can have a *darsan* of the District Magistrate. That is a situation, Sir, which is extremely regrettable and I think that the Hon'ble Ministers will take a note of this fact and will instruct their District Officers not to be so much *purdanashins* and to fix a time and hour when they can transact business with the public without the public having to wait indefinitely at the gates.

With regard to the Education budget, Sir, I would like to say that the amount that has been reserved for grants-in-aid to schools and colleges is totally insufficient. So many schools and colleges are being established through private enterprise though it is up to the Government to establish such schools and colleges, but perhaps for want of funds they cannot do so. But they should certainly come to the aid of those schools and colleges which have been established by private enterprise and I do not think the expenses will run into very many lakhs, but you are only called upon just to pay them their deficit which would not be more than 5 to 10 thousands of rupees per college or from 2 to 3 thousands per school. I hope the Hon'ble Education Minister will be pleased to take note of this, make it a point that every school and college which has been established by private enterprise may not have to close its doors for want of funds and Government can easily help them if they like. It is after two centuries of British rule that we find in India and particularly in Bengal that 8 to 10 *per cent.* of the population only is literate. What idea have the Ministers got with a view to extend literacy? I should not perhaps use the word "literacy" because it does not mean anything, because here anybody who can write even with difficulty his name, is recorded among the literate in the census report. But that is no test at all as to the progress of education in any country. So that in order to increase the percentage of educated people the Ministers must formulate a scheme by which, say, within a period of 5 to 10 years, you can increase the percentage to a great extent. That should be the policy of Government and not to try to monopolise text-books and to have a sum of rupees 25 lakhs for paying the primary school teachers.

Then, Sir, with regard to the loss on boat construction, we have got only a cryptic sentence in the budget statement of the learned Finance Minister that we have lost so much on the boat construction scheme. But we have not been enlightened as to how this loss accrued. Now, anyhow, honourable members of the House would be inquisitive to know as to how this loss occurred and who was responsible for it. We have heard so many ugly rumours that some of the erstwhile Ministers were involved in the shady transactions, and some of their party men, relations and friends got huge amounts, but perhaps boats which were never made were billed for and paid. That loss which had to be borne by the poor people of this province went to the pockets of the Minister and his men. I think the Hon'ble Minister should have been frank with us and should have given us details as to how this huge loss could possibly have occurred. Are boats unsaleable in Bengal? Is it a fact that in Bengal boats cannot be sold? Or is it a fact that bills were made out, but that no boats were made?

Before I resume my seat I would only like to draw the attention of the Hon'ble Minister to the most regrettable fact that the Government of Bengal is being run on communal lines. I would just refer to the Nadia incident where some of the Hindu cultivators have been ejected from the land by a Muslim League District Magistrate with a view to making room for Muslim cultivators. It is most deplorable that you should do so, you who are at the helm of affairs, you who have got a statutory majority through the Government of India Act of 1935. That is why you are in a really unassailable position, but at the same time you should remember that when you are the head of the Government, when you are the ruler, you should not take these petty communal interests into consideration. I will warn the Hon'ble Ministers that "high office and little minds go ill together".

Mr. KAMINI KUMAR DUTTA: Sir, we always feel that there is an atmosphere of unreality in the discussion of budget in this House, because opinion in this world, unless one has got the sanction to enforce that expression of opinion, is of very little value. So any question affecting the budget, unless one has an effective voice in the allocation of grants, may only produce some impression in the mind of the Government, but it does not have any real effect. The unrealty of the discussion is further apparent from the fact that it is only the Finance Minister who is attending the discussion in this House. But regarding the preparation of the budget, it is well-known that the Finance Minister is practically a recording Minister. It is the joint liability of the Cabinet and the policy of the administration depends upon the Hon'ble Ministers in charge of the different portfolios and upon the whole Cabinet. So the absence of the other Ministers also at the time of the discussion clearly establishes the fact that they know that the discussion in this House of the budget is absolutely an unreal matter. It is a matter of formality only so far as this House is concerned. They know also that the other House, which has got the voice, I mean effective voice, in the matter is their concern and they are to attend that House only. Otherwise I do not understand why in the discussion of such an important matter as the discussion of the provincial budget, at least the Hon'ble Ministers who are vitally concerned with the important departments do not like to be present here. However, as it is a matter of constitution of this House, it is no good deploring about it. Still we expect that the Ministers who are elected by the people and who are called popular Ministers should have the decency of attending this House when their respective subjects are being discussed.

Now, Sir, looking to the statement of the Hon'ble Finance Minister the first thing which attracts our attention is that there is a large deficit in the budget. Deficit in budget is not to be condemned if that deficit is due to the making of provisions for the welfare of the nation, such as, establishment of the higher minimum standard of living of the masses. If for such reasons there is deficit, money should be found by any means, by taxation or by loans, if required. So budget should not be condemned if loan is required to meet such charges. But if a little scrutiny is made with regard to this budget it will appear that regarding ordinary expenditure there is an increase of Rs. 2½ crores only and that figure is explained by saying that an extra crore would be required for carrying on machinery of the Government. It is further stated that there was another loss amounting to a crore and a half on the boat construction scheme on which my friend who spoke before me dwelt at some length. I will not dwell upon this point any further. Every one knows the history of this ill-conceived programme of boat construction which the Ministers would like to say was a sequel to another ill-conceived programme of the denial policy. But the fact is that the boat construction programme was one of which any Government ought to be ashamed.

It was nothing but the squandering away of public money and making a gift of them to the unscrupulous people who did make a huge profit out of the whole affair.

Then, there is another item, also dealt with by my previous speakers and I shall speak on a different aspect of this matter, I mean the statement regarding the loss of Rs. 2 crores on the sale of subsidized food to the public. Let me further elucidate the point. It has been said in the statement that the Government have a stock of book value of Rs. 17 crores. The Bengal public is fully aware of the miserable and disgraceful story of inefficiency and corruption connected with the procurement and distribution of foodgrains. There is corruption in the officials concerned, there is corruption in the persons engaged in it. The corruption did permeate the whole structure of this organisation. The statement concludes with a very significant sentence that Rs. 17 crores is the book value of the stock likely to remain in hand. We are almost absolutely sure that if this stock is scrutinised, it will never come to Rs. 17 crores. I doubt even if it will be Rs. 7 crores. (Mr. G. MORGAN: Yes, it will not.) Let me cite one particular instance of which I have some personal knowledge, regarding a certain foodgrain godown which was under the charge of a commissioned British Officer. In connection with a case this officer appeared before the Court and when I cross-examined him asking whether he was not only nominally in-charge of the godown and that the stock position did not tally with the book register. He said that he doubted the accuracy of the stock position because he said the goods were never checked at the time of delivery. It was again put to him that if the stock is checked with the register, it would be far less the quantity put in the register, when he answered "Most probably it will be so". So, is this not a false assurance that we have got stock worth Rs. 17 crores in the godown? I would solemnly challenge and the whole country challenges that this figure can never be accepted. So you see regarding the ordinary expenses there is an increase of 2½ crores of which the explanation given cannot stand on its own legs. No use deploring over this but I can only give a warning to those who are at the helm of the administration that the signs of the times do not portend well for them. People are coming to the front——

Mr. HARIDAS MAJUMDAR: On a point of order, Sir. May I draw your attention to the fact, that the Hon'ble Finance Minister is talking aside when the Leader of the Opposition is speaking on the budget.

Mr. PRESIDENT: Order, Order, I notice there is too much humming coming from that corner of the House.

Mr. KAMINI KUMAR DUTTA: So those who are basking in the sunshine of power now and are dreaming only of dividing the spoils of the office and dividing other spoils between themselves and their friends, perhaps will have to feel soon that their days are numbered. People will soon find them out, and no slogan, and no false slogan, can save them from the real doom which they so richly deserve. Now we are in a very critical stage of the history of the country. War economy was one policy. That is gone. For any administration, if it really intends the welfare of the people, there should be a policy of planned economy for peace. Here it is said we are in the transitional period. Yes, we are, but the transitional period is not a period for providing only the friends and the admirers with jobs, etc. Transitional period is a very important period. It is the period for setting the stage for the planned economy to come and unless you set the stage now, it will never come. Looking to the whole budget one fails to observe any policy in any department at all. There is no policy. Only there are catalogues of receipts, catalogues of expenditure, explanation why so much for a particular department, but no idea is given of a policy for the

welfare of the people. And what is the objective of the policy? Of any planned economy the objective is at least to have a minimum standard of living for the people of the country. Has the budget given any hope of a minimum standard for the poor people of the country? It might have given a very high standard for the fortunate few, but it has given no living standard for the mass, for the people of the country for whom they may pretend to have all sorts of love and sympathy.

Let us analyse one by one whether it has laid down any policy at all. Food problem is the first problem of the country. Food problem is the menacing problem of this country and it is a vital question. The nation cannot live if there be shortage of food. In the statement as well as in the allocation of the different items we find mention of provisions for seed multiplication farms and also a scheme for livestock research and other institutions. They are good so far as they go. But does it solve the problem of the increase in the food. It is a fact which cannot be ignored that there is chronic food shortage in this province. We cannot always ask for supply from other provinces and from countries outside India. We are asking help from all countries of the world, it appears, but that is not a state of things which ought to be tolerated. While there is an increase in food it is not keeping pace with the increase in the demand at all. Has the Hon'ble Minister or the whole Ministry given any indication how to solve this problem? The real problem is not the procurement policy or the distribution of some seeds only. The important problem is the problem of an increase in the agricultural produce of the foodgrains. It has been questioned—how to do this? Well, Sir, if other countries have been able to do it, we too shall be able to do if only we have a mind to.

In the budget some provision has been made for preliminary work to be done for the abolition of the zamindary system. Sir, talk of the abolition of the zamindary system has become a sort of political slogan with almost all the parties. I find that even those who in their hearts do not desire it, they too speak of it; there is a sort of lip loyalty to it. But, after all, does abolition of the zamindary system solve the problem of the peasant cultivators? Will their wealth be increased by the abolition of landlordism? Let not my friends for a moment think that I am in favour of the continuance of the zamindary system. My views are quite well-known. This archaic system should not be allowed to last a day longer. But those who profess to have sympathy and loyalty should go deeper into this question. They ought to know that mere abolition will not solve the real problem. It will only remove one of the impediments. It will not increase the productive capacity of the soil and neither will it increase the income of the actual cultivator of the soil. We must apply our attention to this aspect. Of course, this system is doomed when there is so much outcry against it. This system will go. But with the abolition of this system the millennium will not come unless you push it further and push it further with what object? What are the real objects of the abolition of the system of landlordism? Irrespective of other reasons for the abolition, because I know, I have studied the matter, it will give an incentive in the economic sphere also and lead to the growth of the industries and the development of other matters. It is now a clog to that. Bengal has not been able to advance industrially, because of this clog in this land tenure system. Let it be abolished, but if you rest content with its abolition only, and think that you have attained your goal and that happiness will come, then severe bitterness will be your reward and you shall be disappointed to the utmost. We must then push it further and push it to a further point. Go to the cultivators, the peasants, who are the real owners of the soil. How to increase the productivity of the soil, how to increase their wealth and in this respect an appeal has to be

made to the peasant cultivators sooner or later and it is better that the appeal be made sooner. They have to subject themselves to the discipline of the national interest. The system of fragmentation of small holdings and uneconomic divisions of the holdings can never be allowed to remain. It has got to be changed. If you think that by doing so, you will lose votes, well, lose your votes by all means, but let the real people of the country come to the legislature and let us say to them "if you want to live happily, if you want to be above want, then this system of agricultural structure cannot be allowed to continue". I do not say that you would be able at once to establish a system of collective cultivation as it prevails in Russia. You cannot do that. Even in Russia they succeeded in establishing that system only after a good deal of bloodshed. They had to fight the *kulaks* (rich peasant proprietors) before this system could be adopted in its entirety. They could not rush it at once. But there is no impediment at least to introduce the co-operative system of farming in this country. An idea is given in the statement that the cultivators will be supplied with good seeds and they may also be supplied with modern equipments and improved appliances for cultivation: that certainly ought to be done. But when you supply these equipments I suggest that those who are in power should enter into a contract, not individually, but with the whole village, to supply good seeds and modern appliances for cultivation in the village and any other equipments required for the purpose, provided that they would give you a combined undertaking that in return for these appliances and equipments, they must deliver to you so much of the foodgrains produced in the village as stock of the State. You will find that it will be a great incentive and it will greatly improve the production. You should not fight shy of it—you should not be afraid of it. If you start this sort of scheme it would greatly help in increasing the production of foodgrains. There is to be a radical change from the present system. Government can introduce producers' co-operative society. They can encourage co-operative cultivation in the villages under the modern laws keeping the right of property in tact.

People will not be ready to part with their property. It is so much ingrained in them. They have love of property and they will not be ready to part with it. But co-operative cultivation can be introduced. Producers' co-operative system should be encouraged and the Government should give incentive and co-operate with the villagers so that there will be enough collective working under the co-operative system. Even in Russia when introducing the system of collective cultivation they introduced the system in selected areas and the people of the neighbouring areas seeing the advantage of collective system of cultivation voluntarily joined the system and adopted it. When they found that by the collective system of cultivation they would get better production they willingly adopted the method. So, here also if you show to the ignorant villagers the benefit of collective system in some areas at least, this will no doubt be adopted by all gradually. At the beginning, you may require some sort of capitalist organisation to advance money, those who are working under the co-operative system. But for the capital they will invest, they will get some amount of return and at the same time the various doors of blackmarketing and profiteering will be closed. They cannot remain wide open, for all time to come. The capitalist will find scope for investing his capital and he will be willing to invest his money if these co-operative systems are organised with the help of Government. The capitalist will not hesitate to invest his money when he comes to know that his investment will be quite safe. With the improvement of cultivation you can have a growth of village handicraft and with the growth of this organisation you can foster the growth of village handicraft also. Thus industry will grow. In other words, I would say, let the Ministry begin from the bottom.

Let them take the whole village as one unit. Let them organise the villagers and to organise the villagers means to organise the cultivators. They are poor people and so you will have to give them loans. Capitalists should be invited to give the villagers loans so that industries may grow. The villagers will have in the capitalists a market to sell their commodities. This present system of cultivation of small holdings cannot give us sufficient food which is required by the people of the country. Increase the food which is so very essentially required. Production of food must be increased. Our policy should be so regulated as to grow more food. We should increase our production in a way to keep pace with the demand of the people. Let the dream of getting outside help be removed. Outside help may any time fail us. It is really a shameful story that Bengal always talk of famine and suffers from it.

Now, in connection with this matter, I may discuss another question. This is about the remuneration of the public services. It is also one of the main items, and the recent strikes also bring the matter to our notice. There is the strike of the post, telephone and telegraph services. There is also the strike of the Imperial Bank. Tomorrow there will be strike in another branch of our services. Practically, there is strike all over the country. Irrespective of the question whether the strikes are *bona fide* or not, whether there is a genuine demand behind it or not—I think there is a genuine demand behind it—we should ponder over the reason why people are now-a-days taking to strikes so often. And after all what is the demand—the demand is for an adequate pay to keep their body and soul together. If you look at the remuneration of the public servants, you will find that men or officers at the top getting Rs. 4,000 or Rs. 6,000 and at the bottom as little as Rs. 12. This is a state of affair which the people will not tolerate any further. But at the same time one has to caution oneself that after all the increase in the pay has to be paid by the tax-payers. That will be a burden upon the country. There should, therefore, be adjustment between the capacity of the people to pay tax and the demand of the people, who serve the people. I may suggest one *via media* and I would request the Ministers to think over it carefully. Let the maximum be fixed at Rs. 1,500 and I think this sum is enough for an officer in this country. We need not adopt the luxuries and other comforts which prevail in America. Even during the war I found an average Britisher living a more moderate life than an American. I was in the war zone itself; I was in the Eastern Front. My home is there. I had to meet both the British officers and the American officers and I found an American officer spending much more than a British officer. A British officer is accustomed to live in a more moderate way of life. So far as this country is concerned, we know how far this country can afford and one who is placed at the top to serve, has to reconcile himself to the conditions of the country. He cannot accept more than Rs. 1,500 as his emoluments and he must agree to it. If he cannot agree to it let him seek some other avenue of life where he can earn more and let him abandon the public service altogether. And as to the minimum pay apparently there are two grades. There are those whom you call the inferior servants and the other the subordinates. To the inferior grade I think we may fix Rs. 30 to be the minimum though Rs. 30 now will not keep the body and soul together. So instead of increasing the permanent pay which would be a permanent burden on the tax-payers, the basic pay should not be placed very high. It should be moderate. And as the prices of the foodgrains and other commodities are very high now, to the pay an allowance may be added—not a permanent one, but adjustable to the index figures and the prices of the commodities of life, just adjustable. At present perhaps it ought to be 150 *per cent.*, because the prices have increased and inflated to the extent of 300 to 400 *per cent.* So an adjustable

allowance may be fixed, but it would not be a permanent part of the pay at all and when the prices will come down to the normal level this allowance will vanish and I think with Rs. 30 or Rs. 35 an ordinary manual worker will be able to manage. And similarly regarding the subordinates also we may fix Rs. 80 to be the basic pay with 100 or 150 *per cent.*, as allowance adjustable also to the index figures and the prices of commodities. If you do this they will find it is a sort of a compromise between the tax-payers and the services. Services are also manned by the people of the country. They have to maintain themselves and at the same time if they make an exorbitant demand, the people of the country would be unable to pay and it will lead to clashes. To avoid the clash let the basic pay be fixed in a moderate way keeping in view, the pre-war prices and just an allowance adjustable to the index figure and the prices. That is to be done. As to the officers at the top their salary has to be cut down drastically. There should be no mercy in that respect. There is no scope for mercy or toleration in respect of that. This high pay when it was first fixed, was fixed with a view to accommodate those who were then generally recruited to the top services, I mean the Britishers and other Europeans. Their mode of life required higher pay. But we are looking forward to a time when even at the top it will be only the sons of the soil, who would be serving. So any question of what would be the requirements of a foreigner coming from Great Britain or any other country would be beyond the pale of our consideration and the top pay ought to be settled only in consideration of the requirements of the sons of our own soil.

There are various other methods of course, but these are the considerations. I will not deal in detail with all of them. I myself thought that the food problem is the first problem and that this problem of the pay of the officers was another crying problem of the day. There are various other problems which would be dealt with by my other friends. But I am only drawing attention to one or a few other items which struck me. For example there is the problem of afforestation to be discussed here, which perhaps will escape the attention of many. I live in one part of the country which has been deforested altogether on account of the military requirements. My district, the district of Tippera, was full of forests and this district is very close to the Tripura State. The district and the State have been deforested and the injurious effect of deforestation, we are feeling. Deforestation leads to less rainfall. It also leads, in countries which border on sea, to erosion of the land and in countries where the interests of the people are cared for they prevent this erosion by afforestation. Bengal is a country which requires large rainfall. I would ask the Ministry to consider the question and take the advice of their experts in this matter as to whether extensive steps should not be taken for afforestation at least in those parts of the province where deforestation has very injuriously affected that particular tract.

Now it has been said that there is corruption in the public services, that there is corruption in the mentality of the people, in the trade transactions and it can be said that a wonderful craze for greed of money has seized the people of this country—a wonderful craze. Anyhow money must be secured—by means fair or foul—whether he is a public servant or a trader or is engaged in any other avocation of life. Sir, I was astonished to hear from a gentleman enquiring of me what would be the remuneration, the fee, for attending the Constituent Assembly; that was the most important thing that was agitating his mind—What fee he would receive per day in the Constituent Assembly, I did not give him any answer, but thought that if a gentleman who was elected a member to the Constituent Assembly, is inclined to go there only with the fee in his view, then he had better resign, he was unfit to go there. Just imagine, Sir, to what lowest depths we have degraded ourselves to enquire as to what would be the sitting fee for the Constituent Assembly.

This should never be the type of people who should form the Constituent Assembly. As to the removal of corruption mere pious wish would never do. Love of money, greed of money, has gone to such extent as would be criminal in this country and must be checked drastically. With a view to checking this form ot crime other provinces have adopted the method of Committees, but, Sir, I do not think that will do. A Tribunal should be appointed for the purpose of enquiry into the opulence of public officers. If it appears that an officer is drawing Rs. 150 as an Assistant Controller of Civil Supplies, but that his bank balance has suddenly swollen up to several lakhs then the Tribunal would have the right to enquire as to what has led to this sudden accretion of wealth and in the absence of satisfactory evidence or explanation all his funds should be seized by the State. In the case of traders also the Tribunal should be given similar power to enquire into any sudden accretion of wealth and punish in the absence of satisfactory proof. One may well find it difficult how to work this theory in practice. Sir, I am a lawyer of several years' experience and I know that the thing is not so difficult as it seems. It does not always require direct evidence in each and every case. Indirect and inferential evidence is at times more convincing than direct evidence and on such evidence conviction is not seldom awarded. Those who have suddenly grown into opulence should not be allowed to enjoy the benefits, the fruits of their crime, they should be deprived of their dishonest gains.

There are other points to be touched, but I have not the time to go into detail over them. As to the supply of cloth a question was put in answer to which the Hon'ble Civil Supplies Minister had admitted that the system of linking a consumer to one particular shop was causing some hardship. It is better that it should be abolished. My friends the Europeans are in a happier position in this respect. They get certain supplies for their Association and their wants are met from there. But we ordinary persons who are linked to a particular shop do not get what we want. They cannot supply what we want. I frankly say that I do not get cloth from the shop who supplies my cloth for my gown which I have to use when appearing in the court. It is a great pity that when I go to my shop and ask the shopkeeper why he cannot supply cloth to our choice, he says "Go to Government"—he says "Government do not supply it". My European friends are fortunate in this matter and I congratulate them because they get a special license for their supply of cloths from their Association and they manage to get all they require.

Now, Sir, as to industries, there is no particular scheme at all except one scheme for which I have every praise—I mean the scheme of electrification. I think this scheme should be worked as soon as possible. I may suggest to the Hon'ble Minister in this connection that there is a great scope of laying down an electrification scheme in the eastern part of the province too. The introduction of an electrification scheme was discussed once before by the Government of Bengal through the river which runs from Tippera State to Megna and electrification is workable there and the industrial and agricultural structure would be improved by the introduction of electrification of this area. It will lead to the growth of village handicraft.

I will not take further time of the House. As regards Education, it will certainly be discussed by other members. But I can only say that Government should not forget the matter of adult education. There is illiteracy among the adult people. Not only young people but also the adult people ought to be educated. Adult illiteracy should be removed and proper provision should be made for that. Within a few years these adult people may have to run the administration so they should be fully equipped with the knowledge regarding the affairs of the country. I will finish by my last appeal that the time has come when

perhaps this party politics would have to vanish—when people would make a joint demand and those at the top now who are dabbling in party politics perhaps will have to be kicked out and sooner they are kicked out the better.

Mr. MOHAMMAD TAUFIQ: Sir, I neither congratulate nor condemn the Hon'ble Finance Minister for the budget, because correctly speaking it is not his budget. As we all know, this budget was prepared during section 93 régime although he must have had opportunity to make some alterations here and there. I find, Sir, there are several proposals for nation-building purposes. I hope the Ministry will carry on the programme successfully. I further hope that the Mussalmans will get their full quota in all the spheres of activity and in the services as well as in the carrying on of the administrative machinery. So far as other heads of expenditure are concerned, I may take first the Civil Supplies Department, which deals with the most essential problem of the day. I welcome the formation of the Food Advisory Board. It will create healthy relations between the department and the public but I regret that no attention is given towards consumer goods. Sir, consumer goods cover all other necessaries of life excepting foodgrains and cloth. I hope that the Government will not treat the subject lightly as they have done hitherto. I suggest that a small Advisory Committee consisting of members of this House and the other House be appointed to advise the Director of Consumer Goods in matters pertaining to his Directorate. This, on the one hand, will acquaint the Directorate with the real demands and necessities of the people and on the other hand keep the people informed of the limitation and the difficulties of the department and it will result in smooth working of the distribution schemes and the present bitterness will be allayed to a great extent. People are experiencing great difficulties and hardships in procuring their requirements and particularly the Mussalmans are the worst sufferers. I strongly condemn the continuance of "the so-called normal trade channels" which the vested interests cry for. Had these normal traders acted properly and honestly and had they not indulged themselves in black-marketing, hoardings and profiteering, there would have been no trouble and no control would have been necessary. It is their anti-social practice that the Government had to adopt the control measures. So, I hope that the Ministry will see that the Mussalmans get their due share according to their population ratio in all kind of Government-controlled trade to which they are entitled by all cannons of justice. I trust the Ministry will not be led away by the Opposition who are rank communalists, who as usual in their garb of nationalism and with the cry of maintaining normal trade channels want to usurp the just rights of the Mussalmans, because they are experts in advocating and maintaining their unjust communal domination, but with a national coating on it. You should not care for their branding you as a communal Government. Of course, our communalism is of a defensive nature, while theirs is aggressive and it is the result of their aggressive communalism that the rights of the Mussalmans have been trampled upon in every walk of life, and when we now want to undo the wrong done to the Mussalmans they call us communalists. Instead of being ashamed of what they have been doing so long they want to blame us.

Now, Sir, I want to draw the attention of Government towards iron and steel materials which have disappeared from the open market. I know that they were being controlled by the Government of India, but since they have relaxed the distribution control, the stock-holders and dealers have been given liberty to dispose off their goods according to their own choice. Hence the consumers have no other alternative than to pay treble the controlled price of the material. I say why do you not

take the distribution control of Bengal quota of iron and steel in your own hand just like other commodities. We have to face housing problem along with food, cloth, etc. So until we provide raw materials to the people of the province at the reasonable rate, how can we expect them to help us in solving the housing problem. Same is the case with cement. The Government of India have appointed a Manager or Proprietor of a Trading Firm as Honorary Cement Advisor and everything has been left at his mercy. This man has framed no rules regarding preference or priority for the disposal of application and everything depends on this one single man's choice. Here I am not concerned with the Government of India. What I have to say is that the Government of this province should come to our rescue and they should ask, rather insist and snatch away from the Government of India their right of controlling the distribution of Bengal quota.

Now I come to the Department of Police, on which we are spending a huge amount, but bribery and corruption which are the main features of this department are increasing day by day. Our Ministry will do a real service to the people if they could check it to some extent as well as teach them to be more civil towards the people. Recently it happened that the army at Kanchrapara and other places got huge quantities of cartridges blown off from time to time. The villagers picked up those empty cartridge, shells and sold them as brass scrap to the traders of Calcutta, but the police have been harassing the traders and those who could please them could get out but others were sent up to court, charged with possessing stolen property. These people were honourably acquitted by the court. Even on the face of the decision of the court the police have not ended their tactics. They are still harrassing the merchants. Immediate action is called for in this respect.

So far as the income side is concerned, I have to say something about the sales-tax. The Government are aware that there has been great agitation against the sales-tax for a long time. In February last when there was section 93 régime in this province, an agitation was launched against this sales-tax. There was a compromise arrived at between the traders and the Governor that the enhancement of one pice which was going to be made, was suspended and the traders who were observing *hartal* for a long time they also suspended the *hartal*. They were assured that the matter will be considered by the popular Ministry which was soon to assume office, but we are sorry that the several representations made to the Ministry fell on deaf ears They have not cared for our arguments and our submissions. We are not opposed to your realising 3 crores as sales-tax. You want revenue You want revenue to pull on your administration. We are ready to give you the revenue, but what we object to is the method of collection. You call it a sales-tax, but actually it is not a sales-tax, because it is the purchaser who has to pay that. It would have been better if you had called it a purchase tax. If you stick to the words sales-tax then the merchants are ready to pay the sales-tax from their own pockets. In the present Sales Tax Act, those sales which are made for outsiders, I mean which are made outside of Bengal, *i.e.*, on the goods which are despatched outside of Bengal, there is no tax or where a trader sells to another registered trader, he is not to charge the sales-tax. What we want is that a uniform basis of say 4 annas *per cent.* or 8 annas *per cent.* may be levied on all the sales without any exception so that while on the one hand you get your revenue, we shall be relieved of keeping all sorts of accounts of registered sales, sales to outsiders as well as sales in Bengal. On the other hand the consumer is also relieved for he need not pay the tax along with the price of the goods that he purchases. Merchants and traders are ready to pay it from their own pockets. Suppose you levy eight annas *per cent.* Then each and every merchant and dealer

will pay the sum. The commodities sold by a merchant pass through three or four dealers and thus you get about two *per cent.* only on all the sales. It may be known to Government that sales outside Bengal are more than 75 *per cent.*, so only 25 *per cent.* of the sales are made within Bengal. In that way you can get even more revenue than what you are getting today, and you will also relieve the merchants as well as the consumers; although the tax paid by the merchants goes to the consumer indirectly, yet this direct taxation of the consumer is a great hardship to him. On the other hand the merchants and traders are quite ready to pay this tax from their own pockets; so there should be no objection on the part of Government; they should simply be content with getting their 3 crores of rupees as sales-tax; only the method is to be changed. With these remarks I resume my seat.

Mr. CHARU CHANDRA SANYAL: Mr. President, Sir, the budget for the year 1946-47 as presented before the House shows two main features. No. 1—begging, and No. 2—taxing. There is no indication on the part of Government to produce money. Efficiency of a Government lies not in cutting down essential expenses, but in finding out new avenues of income without taxing people further. It is suggested that the Government of Bengal should start State-owned power farming and industries to produce wealth for administration. From the point of view of begging it is always wiser to be an exacting beggar when the other party is known to have money. But begging for food is the worst part of the affair when there are already means to be self-sufficient at hand.

Now, let me examine some of the items on the receipts side. *Customs*: Contribution from the Central Export Duty on Jute amounts nearly to one and half a crores of rupees on the basis of 62½ *per cent.* of the contribution. This is the result of a long-standing fight with the Centre. This Government should start the fight again to raise it to 80 *per cent.* Then *Income-tax*: Bengal's share calculated at the rate of 20 *per cent.*, under the terms of the Niemeyer Award comes to 6½ crores. Here, again, the Provincial Government should start a fight with the Centre to get at least 40 *per cent.* of the contribution. Then comes *Agricultural Income-tax*: Receipts on this item show 50 lakhs of rupees. This tax is oppressive no doubt. The method of computation of income has been arbitrary in most cases on hypothetical production of paddy and jute per acre and also on imaginary sale proceeds of these commodities. The income on this head should suffer a decrease for the relief of medium and small peasants by agreeing to increase the maximum non-taxable income from Rs. 3,500 to Rs. 5,000.

Sales-tax: Three crores have been shown as probable income. Is it on the basis of 1 anna per rupee or less? This tax is not only oppressive but troublesome. It must be admitted that the vagaries of sales-tax officers have provided employment for some lawyers, accountants and clerks. But the cost and trouble of the seller have been increasing. The rate of sales tax should be reduced to 6 pies this year with a view to liquidate it altogether next year.

Income from subsidised companies: The Darjeeling-Himalayan Railways pays only Rs. 92,000 for the maintenance of the cart road from Siliguri to Darjeeling. The rate of calculation as shown is Rs. 2,500 multiplied by the miles or 50 *per cent.* of the excess profit over 5 *per cent.* whichever is less. The term should be so amended that Darjeeling-Himalayan Railway should pay to the Government of Bengal, a sum equal to 50 *per cent.* of the excess profits over 4 *per cent.* with a minimum of Rs. 2 lakhs per year.

Business Side: This side shows all round loss. The recent business of sale of mepacrine has been a dangerous game. At first the pharmacies were forced to buy 10,000 mepacrine tablets to qualify themselves to purchase one pound of precious Government quinine. Now the ratio has been reduced to 1,000 tablets to one pound of quinine. Compulsion to buy mepacrine should no longer exist. The Department of Sera and Vaccine should be made profitable. This department should produce for public sale large quantity of dependable sera and vaccines. This department should not be allowed to act as a "show boy".

Agriculture: On this head expense exceeds the income by more than two crores of rupees. Establishment of a five-acre plot for potato breedings costs Rs. 64,000. Five lakhs for growing disease-free seed potatoes in Darjeeling and seven lakhs for importing dried potatoes from Australia. What more waste of money can one conceive of? About 2½ crores have been set apart for Demonstration, rural uplift, grants-in-aid and development of agriculture. A large percentage of this sum is going to be spent on salaries and other allowances leaving about Rs. 50 lakhs for actual work. This money may be better utilised if the Government starts Central Agricultural Stations, one in each district to start with, containing all the modern equipments for mechanical cultivation and also trained men to work the machines and workshop to keep the machines in working order. Modern tractors can be worked in small plots of land even with raised boundaries as at present. Fragmentation of land is no longer a hindrance to modern power farming with catarpillar and Graveley plough. These centres would only cultivate the land of the private owners on payment of a small fee just to cover the running expenses and harvest their crop with combines, if they so like. Ten such centres may be chosen in areas where large tracts of high lands remain uncultivated for want of men and bullocks. By this means a small cultivator family would be able to bring under crop more than four times the area they can manage at present. Such large tracts of fallow land is found in all the districts of North Bengal and also in the district of Nadia. About 30 lakhs of acres of culturable waste are looking to the Government of Bengal for exploitation to feed the famished people of this province. The Government should start mechanical paddy cultivation in high lands and show by actual demonstration that cultivation by modern implements and scientific manuring bring more crop and is a paying proposition so that the cultivators may take to it in the near future. This is not a long term proposal. Jute and paddy can be grown within 6 months and equipments can be had probably just now. Experimental station with laboratories should be set up at suitable places to carry on experiments on scientific rating, steeping and washing of jute so that the cultivators may not have to stand on waist deep water from morn till sunset for the sake of a small profit from this money crop. Experiments on other money crops, such as *tung*, flax, *sisal*, etc., that grow on any soil should be conducted. These laboratories should undertake analysis of soil free of charge and to advise the cultivators on the nature of manure they should apply to their soil for the particular crop they want to raise. Distribution of oil cakes and chemical manure without soil analysis is just like administration of medicine without diagnosing the disease. The Government should guard against such wastage which they have under contemplation. These are some of the bare outlines whereby the cultivators who are essentially matter-of-fact men may be trained to produce more crop. The idea of educating the cultivators with leaflets, booklets and demonstrations would be fruitless as has been in the past and the amount spent for this purpose would be money thrown into wilderness. Forty-one lakhs of rupees have been set apart for seed multiplication. Can it be expected that this money would not be spent for multiplication of woes and sorrows of the common people of Bengal?

Something about medical expenses and I finish. Establishment of a temporary medical college in the lake area with 1,000 beds is under contemplation. It is being started to train 10,000 licentiates to M.B.B.S. in 5 years. This is a Central Government scheme I understand and they have estimated Rs. 86 lakhs non-recurring and Rs. 26 lakhs of recurring expenses. The amount proposed to be spent in Bengal Budget is about Rs. 21 lakhs in all in 1946-47. It passes beyond anybody's comprehension to think of a temporary medical college at such a huge cost. Is it necessary to oblige the American Government by purchasing their depleted camps? This money may be better utilised by donating this sum to the National Medical Institute at Entally and raising it to the status of a college for the same purpose.

Regarding tuberculosis the attempt of the Government, it really takes effect, is certainly welcome. There are about 3 lakhs of open cases of tuberculosis in Bengal alone that require immediate hospitalisation whereas at present, there is accommodation for only 2,000 cases. 400 beds in any tubercular hospital should be the standard. With this object Jadavpur Tuberculosis Hospital with good records should be provided with adequate funds for 80 more beds. The S. B. De Sanatorium at Kurseong should get at least Rs. 5 lakhs this year for some free and half-free beds. The newly acquired site is pleasing no doubt. The Amulia Hospital near Asansol, I understand, will accommodate nearly 200 beds and there will be facilities for training doctors for curing tuberculosis. Another T. B. hospital should be started somewhere in Eastern Bengal as quickly as possible, and Mainamati near Comilla may be selected as the place.

Under the head increase in the number of beds and provision for new beds in rural areas and improvement of existing hospitals a sum of Rs. 5 lakhs should be set apart for the General Hospital attached to Jackson Medical School at Jalpaiguri, which is practically the only hospital in North Bengal, where modern treatment may be expected. Increase of beds in rural hospitals means increased recurring expenses which the hospital funds can never adequately meet. The beds may be increased where sufficient number of nurses are available. Every District Hospital should be provided with X'ray apparatus and, if necessary, portable apparatus may be supplied which can be worked by small electric plants.

Last of all, the Government are again urged to revise the budget and place it on more modern basis where the principle of finding income from State-owned business should be given effect to. The increase of taxation has come to a breaking point. Instead of concentrating upon distribution of jobs in the Government under various heads, more attention should be paid to the actual nation-building works on a definite plan that would bring lasting benefit to the common people of Bengal. A mere patchwork is likely to give way sooner or later. The Government of Bengal should prove by their action that their anxiety to build up a happy Bengal is a reality and not a show.

Khan Bahadur A. M. SHAHOODUL HAQUE: Mr. President, Sir, I am a new-comer, not only to this House, but also to the Legislature and as such, I must confess I am not yet conversant with all the technique and convention of this House. I have not yet been supplied with all the literature relating to practice and procedure here and elsewhere.

Sir, discussion of the Budget Estimates in this House which has no right of voting seems to me to be only a specious privilege and that too is the special privilege of the honourable members sitting in the opposite direction. So I would not like to take much of the valuable time of this House to the prejudice of the veterans in the line.

Sir, it will not be fair to forget that this is a budget coming in the wake of a much criticised and unwanted section 93 régime, drawn up by the youngest Finance Minister in India of a popular Government barely

3 months old. The young Minister rightly deserves to be congratulated for the masterly presentment of the estimates and for the provision, he has made in his estimates for his Public Health and Medical Departments and the Department of Agriculture which, of late, is fast expanding under a Director having drive and imagination. But the absence of any scheme for the eradication of water-hyacinth will, I am afraid, greatly hamper many of the agricultural improvement projects. The Finance Minister deserves congratulation also for not resorting to new taxation to wipe off the heavy deficit as the people are already overburdened with taxes in Bengal. Sir, barring these two redeeming features and the post-war development portion of it, it must be said, the estimates make disappointing reading.

There is no plan and no provision for nationalisation of all the key industries. Some of its unpopular features amongst others are the continuance of a top-heavy administration, maintenance of an unnecessarily large number of I.C.S. officers with fat salaries, retention of the posts of Divisional Commissioners, re-appointment on fat salaries of retired officers on the convenient plea of experience while young educated people are being allowed to swell the ranks of the unemployed. Sir, under provincial autonomy, the retention of the services of the members of the Indian Civil Service seems to me to be a great anomaly and people fail to understand why their services are being considered indispensable and why they cannot be replaced by members of the Bengal Civil Service, if the popular Ministry in the past and now could be successfully run with people with no pretension to any extraordinary educational attainments or any specialised knowledge.

Civil Service in Bengal should be manned by members of the Bengal Civil Service. Its junior section, which is a fruitfull source of discontentment and consequent half-hearted work among the ranks having the same educational qualification and calibre, should be abolished. Let the pay of the one Bengal Civil Service be decided by the Pay Commission. Similarly, I advocate the abolition of the Subordinate Educational Service, also.

Sir, the less said about the Civil Supplies Department, the better. From its working in this hapless province, it had better been called "Civil Denial Department". There is no justification for maintaining this department with such heavy costs, which is guilty of many acts of commission and omission. The House has a right to know what steps, if any, have been taken against those officers of the department due to whose criminal negligence such huge quantities of foodstuff became unfit for human consumption in different parts of the province while people were starving for want of food. The people have a right to know what steps, if any, have been or are being taken against those for whose criminal folly a loss of a sum of one and half crore is being met from the public funds for boat construction work. Persons and officers responsible deserve to be spotted out and severely dealt with.

Sir, the staffing of the Enforcement Department, with the retired police officers who in this hapless country are never looked upon or believed as honest people has made the department a farce and hopelessly inefficient and corrupt. It is common knowledge now that those who can pay often go undetected. This is the machinery set up to combat corruption by corrupt people. Are we to understand that the homeopathic principle of combating the disease has with the medicine that may cause that disease been followed here? Black-marketing and profiteering were encouraged in many cases by officers of the Government in connection with raising of this fund or those fund which took such a high toll of lives in the famine of 1943 and if not stopped with an iron hand will also take a heavy toll this year, a year of scarcity and natural calamity, if you do not call it a year of famine. The criminal law of

the land needs overhauling for providing capital punishment for those responsible for black-marketing and profiteering who form a new class of murderers. Sir, it is common knowledge now that the Food Committees have not worked satisfactorily in Bengal and the soon they are totally abolished the better. Procurement and distribution of foodstuffs, cloths and yarns could have been more efficiently and with much less or no costs, entrusted to the Co-operative Department of the province. Sir, it is most unfortunate that the Government which seem anxious to seek the co-operation of all parties in this House and the Lower House, refused to seek or take the co-operation of his own Co-operative Department which has virtually been left in the lurch.

Sir, in the projects for irrigation, Western Bengal with its scant agricultural population has almost monopolised the huge grants. Eastern Bengal with its dense agricultural population has received only a step-motherly treatment. Even such a small but a very important and long demanded irrigation project of dredging the river Tista near Akhaura in Tippera, has not found any place. I hope the needs of Eastern Bengal should in the near future engage the earnest consideration of the authorities concerned.

Sir, fates of some of the officers of the late Jute Registration Department who had picked up acquaintance with rural people and rural condition and really did good work are still hanging fire. It is high time they were engrafted in some permanent department and they were relieved of this state of uncertainty.

Sir, there is nothing in the budget to ameliorate the condition of the agriculturists as such and for the toiling masses, whom we represent in the legislature. Provision has been made for some increment of pay and dearness allowance in addition to the supply of rations at cheap rates to officers of the Government, but the case of the poor agriculturists has been left in the cold shade, because they cannot or do not take recourse to strike—refusing to grow food or jute for in these days strikes are the order of the day for getting redress.

Jute was always selling at a much higher rate than rice in normal times, because of higher costs of production but by a most inequitable dispensation the jute had to be sold by the poor growers at a price much below that of rice and almost at a level of its costs or production, during these abnormal times to the greatest injustice to the poor growers toiling in the summer sun and torrential rains in stagnant water. It is high time that effective steps should be taken by the Government so that a minimum price of jute could be fixed at Rs. 25, if not Rs. 30, per maund.

Sir, the educational portion of the budget estimates is another most disappointing document. There is no provision for constructing buildings for hostels for students so many of whom are virtually stranded in Calcutta. There is no provision for adult education or for a drive against illiteracy which is eating into the vitals of the society. While a sister province is going to spend over 3 crores under this head, we rest content ourselves with doing absolutely nothing in this sphere. There is no provision for large scale technical or industrial education which is so necessary.

Twenty lakhs for the primary school teachers numbering 60,000 who are really the true nation-builders of our country as in their hands future destiny of the nation is being moulded, parents in most cases being illiterate, is nothing short of a mockery. Sir, non-introduction of the Secondary Education Bill and non-implementation of the steps for the abolition of the zemindary system during this session amount almost to a breach of faith to the electorate. Time should have been found to introduce these two much longed for measures during the 1st session of the Legislature.

Sir, air-conditioning of the Secretariat buildings at a cost of 2 lakhs is undoubtedly a luxury, but people will not, I am sure, grudge this luxury of sitting in the Secretariat under the changed condition, if the popular Ministers are able to evolve and put into execution well-planned and effective schemes for all round improvement of the condition of the people with a view to building a better, brighter, happier and healthier Bengal.

Mr. PRESIDENT: Order, order. The budget discussion will be resumed on Monday next.

Adjournment.

The Council then adjourned till 1-15 p.m. on Monday, the 5th August, 1946.

Members absent.

The following members were absent from the meeting held on the 2nd August, 1946:—

(1) Mr. L. P. S. Bourne,
(2) Khan Bahadur Shaikh Fazal Ellahi,
(3) Sir Md. Azizul Haque, Khan Bahadur,
(4) The Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain,
(5) Mr. Humayun Z. A. Kabir,
(6) Maulana Md. Akrum Khan,
(7) Mr. Syed Abdul Majid,
(8) Mr. T. B. Nimmo,
(9) Khan Bahadur Mukhlesur Rahman,
(10) Dr. Kumud Sankar Roy, and
(11) Mr. F. C. J. Stuart.

BGP-46/7-7866A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946.—No. 8.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 5th August, 1946, at 1-15 p.m., being the 8th day of the First Session, 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.), was in the Chair.

QUESTIONS AND ANSWERS

Publishing the photo of Revenue Minister.

51. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Department of Land and Land Revenue be pleased to state—

(a) if his attention has been drawn to a leaflet published by the Revenue Department with a photo of Mr. Tarak Nath Mukherjea, Minister in charge of that department, containing some provisions of the Bengal Alienation of Agricultural Land (Temporary Provisions) Ordinance, 1943;

(b) if he is aware that there is a great scarcity of paper in this country owing to the present condition of war;

(c) what cost was incurred for the block and for the paper required to print the block;

(d) if the Government consider the advisability of not publishing in future the photos of Ministers in Government publications for propaganda purposes when every possible economy of paper is being strictly enforced; and

(e) if not, why not?

MINISTER in charge of the DEPARTMENT of LAND and LAND REVENUE (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (a) Yes.

(b) The situation has eased to a certain extent now.

(c) The photo was printed from an existing block of the Publicity Department and as such no extra cost was incurred for it. The cost of the paper was Rs.131 approximately.

(d) and (e) Such pamphlets are issued in cases where it is considered necessary in the interest of the general public to give the widest possible publicity to any measure adopted by Government for public welfare. Formulation of any general principle in the matter is not called for.

Abolition of zemindari system in Bengal.

52. Mr. NUR AHMED: (a) Will the Hon'ble Minister in charge of the Department of Land and Land Revenue be pleased to state whether it is a fact that he has already drawn up a very feasible plan for abolition of the zemindari system in Bengal?

(b) If so, what are the main features of this new plan?

(c) When will it be put into operation and where at first?

(*d*) What will be the cost of this plan?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: The new plan was considered in a conference of experts and it was found that as the money market is now easier it would be more economical to adopt the scheme recommended by the Land Revenue Commission for State purchase of rent-receiving interests and certain classes of *khas* lands. Necessary Legislative proposals for implementing the scheme are under consideration and will be placed before the Legislature in due course.

Mr. BIREN ROY: Will the Hon'ble Minister be pleased to give an idea of the new plan?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: The new plan has been scrapped. We are going to follow the Land Revenue Commission's report.

Mr. BIREN ROY: Will the Hon'ble Minister then please state what was the new plan referred to in his answer?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: The new plan was to acquire all the lands of the zemindars and convert them into Court of Wards Estates and then depositing some money in the Reserve Bank purchase the zemindaries. It has been found that that would be a more costly affair. So, as recommended by the Commission and as it is more economical, we are purchasing the rent-receiving interests and certain classes of khas lands.

Mr. ABDULLA-AL-MAHMUD: Will the Hon'ble Minister please state how much money has been provided for that purpose in the present year's budget?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: It will not be necessary to provide any money in the current year's budget. After the legislative measure is passed when the approval of His Majesty the King will be obtained and then we will actually be able to proceed with the matter.

Mr. ABDULLA-AL-MAHMUD: When is the bill likely to come up before the House?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: I hope it will be introduced in the next sitting of the Assembly.

Alleged interference with the administration of Mr. Chanda, the Director of Public Instruction.

53. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that Mr. Chanda, the Director of Public Instruction, has gone on leave? For what length of time has he gone on leave? What was it due to?

(*b*) Is it a fact that the Hon'ble Minister's interference with the Director of Public Instruction's day-to-day administration such as leave, transfer, promotion of officers, etc., disgusted him for which he had to go on leave?

(*c*) Will the Hon'ble Minister be pleased to state how many orders of Director of Public Instruction were upset by him since his assumption of office as Minister?

(*d*) Who now officiates as Director of Public Instruction in place of Mr. Chanda?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) Yes. Mr. Chanda applied for ordinary leave on average pay for the period from

11th June, 1946, to 7th December, 1946, for the reason that he felt run down. He has been permitted to proceed on leave from the 10th June, 1946, but the actual period of his leave is still under consideration of Government.

(*b*) Does not arise.

(*c*) As far as I remember only one.

(*d*) Khan Bahadur A. M. Muhammad Asad.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether he will enquire from Mr. Chanda by whom he was run down? Was he run down by the Minister for Education? (Laughter.)

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: He was run down by pressure of work.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether at this period of time (now it is the month of August), it has been determined what is the actual period of his leave?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: Well, I want notice. Certainly it has been determined, I know, but I forget what it is exactly.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state what are the two cases in which he overrode the decision of the Director of Public Instruction?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: In one case the Maulvi of the Vidyamoyee Girls' School was transferred on the report of the Head Mistress of that school, because she had reasons to suspect that the character of the Maulvi was not good. But so many telegrams came from Mymensingh from different people of great responsibility contradicting the suspicion of the Head Mistress and I thought it was not proper to transfer him immediately without an enquiry. Soon after I myself had been to Mymensingh and made personal enquiries from the guardians of the students of that school and other people and I came to the definite conclusion that the charge against the Maulvi was maliciously false and that is why I wanted him to be re-posted in order to vindicate his character. In another case, I remember, a transfer was proposed to be made and not actually made of Professor Taher Zaman of the Dacca Intermediate College. Opinions about him were invited and the students of the Islamia College said that he was a very popular professor among the students and that they would not like to lose him and that is why he was retained there. Those are the two cases I remember.

Mr. LALIT CHANDRA DAS: With regard to the first case may I enquire whether at the time of enquiring into the conduct of the Maulvi evidence was taken?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: Yes, I consulted the guardians.

Mr. LALIT CHANDRA DAS: May I enquire whether in appointing Khan Bahadur A. M. Muhammad Asad as the Director of Public Instruction, the Hon'ble Minister tried to ascertain whether there was any officer senior to this gentleman?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: That anyone can find in the Civil List.

Mr. LALIT CHANDRA DAS: Did the Hon'ble Minister ascertain whether there was any senior officer?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: There were one or two senior officers.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister kindly name them and explain why their claims were superseded?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: One is Dr. Snehamoy Datta and he was not taken in, because he was already doing work in some other department.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: On a point of order, Sir. I am afraid, such detailed answers to these questions are not desirable. They relate to departmental matters which in the best interests of the administration as a whole should not ordinarily be divulged before the House.

Mr. PRESIDENT: It is for the Hon'ble Minister to take objection.

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: Well, he was working in the Methods Department of the Secretariat and for a short vacancy it was not considered proper that he should be taken away from that department. As regards the other gentleman his record of service for the last two years was not at all satisfactory.

Mr. LALIT CHANDRA DAS: It seems to me that Mr. Mahalanobish is senior to Mr. Asad.

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: Yes, but he was not available; he was away in England.

Mr. LALIT CHANDRA DAS: Having regard to the responsibility and the high talents required for the post, why was the post not offered to Dr. Snehamoy Datta in spite of his higher qualifications?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: It was not considered expedient to offer him the post or to disturb him for this short vacancy, because he was already in another department.

Mr. LALIT CHANDRA DAS: Was he (the present Director of Public Instruction, Mr. Asad) not also engaged elsewhere at the time the vacancy occurred?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: No, he was in the Department, whereas the other gentleman was not in the Department. He was in the Methods Department of the Secretariat.

Mr. LALIT CHANDRA DAS: Are we to take it that communalism did not find a place in the appointment of the gentleman to this post?

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: There was no communalism here, I can definitely assert.

Adjournment motion.

Mr. HARIDAS MAJUMDAR: Sir, I have got an adjournment motion, and it reads thus:.....

Mr. PRESIDENT: You need not read it at this stage. When was this matter first brought to your notice?

Mr. HARIDAS MAJUMDAR: Day before yesterday. Mrs. Ela Reid and others have come forward with a statement and this statement was published on the 3rd August in the papers and it was brought to my notice then, and I gave notice of the adjournment motion on the same date.

Mr. PRESIDENT: Will you please make a short statement explaining the point that you want to raise in this motion?

Mr. HARIDAS MAJUMDAR: Yes, Sir. It is here in the statement, as follows:—On the occasion of the general strike in Calcutta when the employees of Government and other mercantile offices were handled with consideration a number of girl students belonging to the Bengal Provincial Federation were posted as pickets on the Calcutta Station of the All-India Radio, which had already been boycotted by the artistes for the day. These young girls requested the officers in charge to close down the radio station, not only to be met with a refusal but to be subjected to taunts. Failing thus to remove the picketers who were all this time both non-violent and orderly a well-known official in charge of the programme, a Bengali, sent for the police to protect himself and his colleagues against a bunch of young girls——

Mr. PRESIDENT: Well, that is the text of your motion?

Mr. HARIDAS MAJUMDAR: No, Sir, it is from the statement published in the papers. Indian constables having refused to raise their hands against women, a jeep containing European sergeants was driven straight on to the girls, seven of whom were badly hurt and all of whom received injuries——

Mr. PRESIDENT: But what is the object of your motion?

Mr. HARIDAS MAJUMDAR: To show that the public servants, namely, the European sergeants, behaved in such a manner that in course of peaceful picketing they hurt——

Mr. PRESIDENT: Do you want to draw the attention of Government to this incident or to censure the Government? What is your object?

Mr. HARIDAS MAJUMDAR: Well, if Government comes forward with a statement and takes just measures against these people, then we shall be satisfied. But if they do not, then it will be taken as a censure motion.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, we have had no information about this motion; the Hon'ble Chief Minister has not yet received any notice of this motion——

Mr. HARIDAS MAJUMDAR: That is a matter for the department.

The Hon'ble Khan Bahadur MOHAMMED ALI: We have neither the facts nor the materials to answer this adjournment motion or the issues raised in the motion. I therefore submit that even if you, Sir, think the motion to be admissible, you will be pleased to fix another day so that we may have sufficient time to collect materials.

Mr. PRESIDENT: Will you enquire into the matter and make a statement on another day?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes, Sir, not today, but the next day.

Mr. HARIDAS MAJUMDAR: So, please fix a day for the discussion——

Mr. PRESIDENT: Then you do not press your motion today?

Mr. HARIDAS MAJUMDAR: If you will kindly fix a day for the discussion of this matter and if in the course of the Government's statement we find that it is satisfactory——

Mr. PRESIDENT: I have not yet decided to give my consent to your motion. I would like to hear the Hon'ble Minister first and then make up my mind. So let the matter stand over at present.

Mr. HARIDAS MAJUMDAR: When is it coming up then, Sir?

Mr. PRESIDENT: Later on. There are so many important items to go through. I do not think there is any great urgency about it.

The Hon'ble Khan Bahadur MOHAMMED ALI: Then the statement need not be made today or tomorrow?

Mr. PRESIDENT: Yes, not tomorrow, but later on. We must finish the Budget discussion first.

Mr. HARIDAS MAJUMDAR: When will the matter come up again, Sir?

Mr. PRESIDENT: After the Budget discussion is over, I shall consider the question and then come to a decision.

General Discussion of the Budget.

Mr. GEORGE MORGAN: Mr. President, Sir, I would be very brief in my speech this afternoon. First of all I should like to congratulate the Hon'ble Finance Minister on his lucid explanation of the 1946-47 Budget, which, of course, is largely a section-93 Budget and therefore it is not apparent that the Ministry have yet been able to apply themselves to framing their own policy and plans.

We understand only too well the present unfortunate position of Bengal's finances. Bengal is still suffering from the major calamity of the famine of 1943 and, although we received a subvention of Rs. 8 crores from the Central Government, we must press upon the Centre that we are still suffering from that major calamity and that the deficit of nearly Rs. 10 crores is a direct result of it. I trust the Government of Bengal will continue to press the Centre for further assistance.

Honourable members are rather more inclined to criticise the taxation side of the Budget than the expenditure side. Now, taxation is presumed to be regulated by the necessity to raise funds for the expenditure side. Therefore we must be certain that the expenditure budgeted for is justified. To mention only one item of taxation, *i.e.*, the enhancement of the petrol tax which is expected to bring in an extra Rs. 50 lakhs and over which there has been some controversy. I am quite sure that the whole of that amount could be obtained by the overhauling of three Departments, *i.e.*, Civil Supplies, Agriculture and Industries.

Sir, I am not going into the receipt side of the Budget in detail. I am sure Government have done all they can meantime in the way of taxation. But I must draw the attention of this House to the expenditure side which, in my opinion, is excessive under various heads.

I will refer first of all to the Civil Supplies Department. The need for a strict examination of the expenditure of this department is illustrated by the fact that apart from the loss of Rs. 3½ crores, expenditure on establishment and contingencies amounts to no less than Rs. 6 crores. This requires investigation and I would suggest that Government might supply the Legislature with intelligible trading accounts. Government's inability to control prices has been due to inadequacy of stocks and this in turn is due to insufficient procurement.

Under 40 and 71—Agriculture, for which Rs. 41½ lakhs and 41·70 lakhs are provided, the various items sound all right, but I am very sceptical of practical results being obtained in many of the cases. I would draw attention to the item of a five-acre potato-breeding station. The Government think that they can solve the question of potato-breeding for the whole of this province by cultivating 5 acres of land. But it is a very mistaken idea. Why only 5 acres? This is far too small. Again, Rs. 10,000 for a national park. What is this and where is it to be located? (The Hon'ble Khan Bahadur MOHAMMED ALI: It is in Kalimpong.) But this Rs. 10,000 could very usefully be spent on hospitals

and dispensaries in Bengal. As regards 28 seed multiplication farms I have no faith in this having any really practical result. I have been a member of the Agricultural Board and this matter has been discussed for years. As far as I can gather it is absolutely useless—these 28 seed multiplication farms. Also the provision of Rs. 11 lakhs for seed stores at each thana headquarters will never give an adequate return, if I know anything of how these would be run. Somebody might get good seed, but the agriculturists will not get much.

Under head 72—Industrial Development, Rs. 12·63 thousand has been allotted for industrial centres. I look upon these schemes as quite impracticable and fantastic. Again Rs. 5·82 thousand is being provided for exploitation of coastal and estuarine fisheries and provision of a fishing fleet. Does Government intend to run this department as a Government department? If they do I could not possibly agree to it. Provision has also been made for training and settlement of *ex*-service personnel. This is a very laudable proposal, but I hope it will not share the same fate as the *ex*-detenu scheme inaugurated by Sir John Anderson and which cost the rate-payers Rs. 9¼ lakhs, and did no good whatever. Government is to receive from the Centre by loan and grants a sum of Rs. 12 crores for development purposes, but this amount cannot possibly be spent within the financial year ending 31st March, 1947. I am not quite sure about this. I have read the Government communiqué at the end of the Financial Statement, but I want to know if this Rs. 12 crores is an open credit unlimited in time, or has it a definite time-limit? This is important.

Then as regards roads under Development Programme, there is an item of Rs. 92·10 lakhs for construction and improvement of provincial highways, major district roads, etc., but no programme has been put before us at all. This House is entitled to have details of this proposed expenditure. For one thing I am certain that so long as District Boards have control of roads, no real development can be done. This work should be provincial and a branch of the Communications and Works should be created for road construction. The quality of the engineers in Communications and Works, who are put in charge of road construction is such that they have no real training in road construction at all. They will only calculate how much profit the contractors will get out of the construction.

The finances of the province are not in such a hopeless state as one would imagine and I am convinced that Government could have a reasonable surplus budget, if only it would energetically overhaul some of the spending departments.

In conclusion, I may say that I noticed a heading in Saturday's (3rd August, 1946) *Statesman* to the effect that the Hon'ble Finance Minister stated he was exploring new channels of taxation. That is not what we want. I repeat that what we want is an overhauling of the expenditure side. President Truman of America has asked his Government departments to retrench expenditure and that is the proper way to tackle the financial position.

One last word. We are committed to an expenditure of a total of Rs. 75 lakhs as Bengal's share in the Government of India's scheme for a fertilizer factory in Bihar. I would draw the attention of Government and this House to the Leader in last Friday's *Statesman* on the subject of fertilizers, which puts the position correctly. I hope Government will devote their energies when framing the Budget for 1947-48, to the curtailment of expenditure on useless and impracticable schemes.

Mr. HAMIDUL HUQ CHOWDHURY: Mr. President, Sir, first of all, I would congratulate the Finance Minister on his first Budget. For the short-comings and defects in the Budget, the responsibility is not

entirely his. The Finance Department for the last 10 years or for the matter of that always, has established one thing, namely, that it has worked as an Audit Department checking and restraining expenditure and activities as far as possible of the departments. In shaping policy and formulating programmes the department plays no part. Whatever plan or programme is drawn, it is generally done by the departments concerned. The Finance Department comes into the scene for the purpose of seeing that the two ends meet. That is what the Finance Minister's job in the administration. Furthermore, the Budget is really the product of the section 93 régime; in the Budget you will find expenditure up to the appointment of the Ministry practically on all Heads. For most of the drawbacks in the Budget the responsibility is of the administration just before this Ministry came in. That shows the miserable state of affairs section 93 régime had landed us into. The fault we find with the Ministry is that they had not the time to revise the expenditure items and to weed out unnecessary ones. If the time was short they could have waited another month or so because if the expenditure incurred were legal up to the passing of the Budget by the Assembly, it would have been legal for another two months and there ought to have been a complete Budget incorporating the policy of this Ministry laid before the Legislature and the country. Be that as it may, with the Budget that is before us we have to consider its merits and defects. First, the main feature is that it has continued, as it has been our misfortune to see, for years, a deficit Budget. Madras this year has a revenue of 57 crores of rupees and there is even a nominal surplus of a thousand rupees. Other provinces have been favoured enormously in the matter of revenue though Bengal has been contributing the largest amounts of total revenue collected area by area. Still ours is the province which has not only suffered during the hard days of 1942 onwards but has been suffering for decades for want of adequate finance. Our position is precarious, and there is no wonder that it is so. Look at the finances of the Government of India. The Government of India Act, 1935, has carefully distributed the powers and functions of the Provinces and the Centre. Similarly financial resources have also been divided between the two. But in this allocation most of the sources are earmarked for the Centre. Look at the finances of the Centre. It has a normal Budget of more than 200 crores of rupees this year. It has got huge surplus under every commercial head, as for example, Railways, Posts and Telegraphs; it has increases under Income-tax, Excise Duty, Import Duty. The result is that there has been this series of strikes we are witnessing and suffering from by their employees who want to share these enormous profits with the Government. The second result is that not being able to absorb all the increase, they want to extend their jurisdiction by trespassing into what is strictly provincial fields. They have established parallel departments of Agriculture, Education and Public Health, without any protest from the Provincial Governments. But they are going ahead further and further and the provincial administration do not seem to mind, for they say that here is money from the Centre, so why should we refuse it? But this receiving of money from the Centre is at the cost of the political right of the province. That is why I say, Sir, that the Provincial Autonomy established by the 1935 Act, is being whittled down by this species of indirect bribing, by the establishment of an Agricultural Institute here, a Technical and Technological Institute there, or factories to supply the particular need of the provinces, a research institute or a number of them, and by financial grants to existing educational institutes. The provinces perhaps think—Why should we raise any question over these matters, so long our own works are being made easier by the Central Activities. I say—Don't allow that, the Centre is interfering with provincial rights; they are trenching on fields which do not belong to them since 1935. At a time when people are thirsting

for sovereignty for their different provinces, such things are going on much to the detriment of even the provincial autonomy under the 1935 Act. Therefore it is no wonder that our finances are getting leaner and leaner while those of the Centre are getting fatter and fatter. The Government of India are going ahead with the establishment of State Industries; an Aircraft Industry in Bangalore, a fertiliser factory at Shindra, the extension of the Ordnance factory to build road rollers or commercial machineries. (Mr. HARIDAS MAJUMDAR: Otherwise how will black-marketting be possible.) I am not objecting to these activities, but what I want to say is that they are primarily the field where provinces should be operating. In short there must be a change immediately in the allocations of the different sources of revenues. Our sources should be expanded. We ought to get the whole of our income-tax, part of the railway income, the excise duty should be entirely ours, as also customs. What the Government of India gives in the form of grants or loans is our money. We do not want them in the shape they give us. But we must insist and fight to get what is ours. We will manage our post war schemes without the financial or planning assistance from the Central Government. This demand should be made on behalf of every one who loves the province. There is no question of party politics—it is a question of proper opportunity to the people to live a normal life. It is a question of the natural rights of the people who have suffered so much in the past to get their share of the contribution that they are making to the Exchequer.

Now I take up the Budget itself. I must say that expenditure on administration discloses an extremely top-heavy system. The establishment costs in most of the sections are disproportionately high. Look at the new item which has come into existence into the Budget, namely, the relief and rehabilitation programme. The Budget has provision of Rs. 290 lakhs for this. The items are very short, they are not many; so we will not have to wander about to find out the exact position and the figures—in lump sum Rs. 230 lakhs for officers and establishment and Rs. 60 lakhs for actual relief. Can you think of a greater wastage? This is the result of section 93 régime. A retired civil servant, for whom all kinds of odd jobs had to be found, has been placed at the head of this department on a salary of Rs. 4,000 per mensem. This top-heavy system has taken away a huge sum and the entire Budget was framed giving the maximum amount of benefit to these highly paid officers. Permanent services, we respect them. We need them, we need a stronger permanent service for carrying on the administration of the country in a proper way, but there should be a limit. The Budget has not been framed and presented in a businesslike method. It is of course a heritage of the past. The Government has taken along with many other Governments the task of spending millions on trading account on an extensive scale. These are purely commercial undertakings. One such is the cinchona cultivation. But I do not find anything in the Budget presented to us which shows the profiit and loss account. We are not told what is the total investment on this undertaking, what reserves have been built up, what assets are there now in hand, what amount has been obtained by sale of the product—what is the cultivation cost, what is the manufacturing cost and the administration cost and the total quantity produced and sold and what is the stock position. It is presented to us as the Budget of an administrative department for which some revenue is incidentally raised. Same is the story in respect of the Civil Supplies Department. Its expenditure will run into 200 crores. The amount that is earmarked is Rs. 50 crores. Incidentally, I may tell the Hon'ble Minister that the loss shown at Rs. 2 crores is entirely misleading. Can he show, can he satisfy us or can he himself frankly say and can any one of his department answer honestly that

they have satisfied themselves that this 2 crores have been worked out with reference to the stock position. They cannot. Because this is administration by permanent officials who are running the whole trading organisation not on modern business methods, but on the outmoded departmental work. Naturally they cannot show the actual losses incurred during a particular year, nor will it be to their interest to show. It will be easy to show 2 crores each year, so that in 10 years they can show that Rs. 20 crores have been lost altogether. If they show that in one year there will be serious criticism, I consider such business and trading activities should be shown separately. In support of this suggestion of mine, I may cite one recommendation which I was reading this morning. The Committee appointed by the Government of India regarding establishment of an aircraft factory in India say that the loss, if any, shall not be met from the revenues. The organisation shall have to be made autonomous and as an independent body not a part of the Department drawing its expenditure from the revenue. This is an important recommendation that the report has made. Cinchona has been a scandal for years. Last year it appears that the total expenditure for administration is Rs. 20 lakhs and the total income is Rs. 11 lakhs, showing a loss of 10 lakhs in one year. I am told that the per acre income from cinchona is much higher than what is derived from tea. It has been said that last year the Russian method was employed in the cinchona plantation showing increased production. But as godowns were full, production was reduced while simultaneously there was acute shortage of quinine. We know the difficulties the country faced for want of quinine during the whole of 1945. But when there was such a demand for quinine, cinchona could not be grown on account of the fact that the godowns were full. We had to depend upon synthetic products of doubtful efficacy. There is no indication if the departmental Minister had realised the weaknesses in the Government's cinchona policy and programme.

The Government of India wanted this province to draw up a post-war scheme, and therefore the Secretariat hurriedly drew up something. Now this present Ministry came across this plan drawn up by Secretariat officials during 1945 and that is the document on the basis of which the Budget has been drawn up proposing an expenditure of 12½ crores on this account. One item of commitment is the construction or establishment of a fertiliser plant at Sindra. I opposed the policy of agreeing to the Government of India having their factory for the supply of our needs in this province. I held that the cost involved is not so very high, being only 3 crores of rupees, and the needs of the province are extremely important and therefore let this province have one factory of its own. I do not know whether this Ministry has considered this aspect as also the fact that all the parts of the province will not get equal advantage from this factory and the quantity won't be sufficient to meet our needs. Now if the fertilizer factory is to be put to the best use, it must be so placed that different parts of the province can take advantage of these products. But the establishment of the factory at a place like Sindra will preclude the Eastern Bengal people from making use of the fertilizers at the same cost as the Western Bengal people. This is one of the schemes.

We would also like to hear something about this Government's commitment regarding the Damodar Valley Scheme, for I do not know how far this Government is committed to the policy that has already been laid down in the matter of organisation to be set up by the Centre. What are the different rights of the different provinces, what controlling authority will be there, and if these Governments have any say in the establishment of the organisation that is going to work it out, in the running of the organisation that ultimately will administer it and in financing it and as to the extent of benefits to be distributed amongst the provinces.

Now, Sir, as far as the Muslim League is concerned, it has laid down its broad programme and any scheme that is drawn up must fit in with this programme. First in that programme is the nationalisation of the rent-receiving interests in agricultural lands. So far as that aspect is concerned, there is no indication beyond a paltry sum of 4 lakhs of rupees for revisional survey of the jungles of the Sundarbans. That is all the indication for "Giving effect to the recommendations of the Revenue Commission". But between the achievement of that objective and today tremendous work has to be done. Revisional survey under the present Bengal Tenancy Act gives no authority to the surveyers or the officers to finally decide disputes between the different interests. This dispute will be one of the paramount questions that will have to be decided as soon as the State starts acquiring the different interests. This is a very controversial question and there may be hundreds of other controversial questions which will be decided by the Legislature and a very complicated, comprehensive and far-reaching piece of legislation is the first and the most important step that has to be taken. Legislative course may not be easy or smooth. Take the case of the Secondary Education Bill. A small number of men interested in exploiting secondary education for their private interests have successfully delayed the reorganisation of secondary education in the province though there is hardly a man who does not admit the need of legislation on this. Nationalisation of land is bound to raise more controversy and involves far greater complexity and detail. They have taken no step for the purpose of nationalising. To be frank, no real step has yet been taken in hand to give effect to this part of the League programme.

Economic rehabilitation is the next in importance on the League programme. The past policy of all Governments had been to pander to the demands of the wealthy and the vocal and organised sections of the people. The result has been that whatever improvements, whatever contributions the State has made, went to increase the wealth of small classes and individuals. Calcutta and its surroundings is the part of the province which has received the attraction of the Government most of all. Sir, I have no grudge against any particular area. I want these areas to be equally served and benefited with the rest of the province and not receive exclusive attention. And in this connection I may read with your permission an observation of an authoritative person of the position of the President of the Tennessee Valley: "The demand for handing over colonial system abroad is not as important as an understanding of what the colonial system is within the United States of America itself. The colonies or.....hinterland is substantially the basis from which the south and the west have been long and predominantly the raw material source for the dominant manufacturing regions of the north and north-east. That must be ended". Build up Calcutta, improve Calcutta, let Calcutta pay as little as possible, widen the roads of Calcutta and make it a city of palaces, drive the poor away, give power to the Improvement Trusts to remove the poor man's cottage and the poor too out of Calcutta. But for the rest of the province, the Budget has made as little provision as has been their lot in the past. Eastern districts are still the most neglected parts of the province, though there are the houses of the bulk of the people. In the field of education also, most of the attention has been concentrated upon Calcutta.

Enormous capital in the past had been invested on improvement of West Bengal. Larger schemes have been taken in hand for the same area this year. In this Budget we find that most of the big schemes are for West Bengal. For the Damodar canal and other irrigation schemes the province had spent about 7 crores. Instead of bringing any

income from these schemes, every year we have to pay at least 10 lakhs to keep these schemes working and this is a positive loss in irrigation.

("No", "No", from the Treasury Benches.)

Your figures show this position. The Hon'ble Minister will correct me if the figures are wrong. But this is my reading of the Budget. Only ·75 per cent. of lands is irrigated by these schemes.

Mr. PRESIDENT: Mr. Chowdhury, you have already taken more than half an hour and I hope you will finish now.

Mr. HAMIDUL HUQ CHOWDHURY: Yes, Sir, I will finish shortly. Now, Sir, for ·75 *per cent.* of lands, an expenditure of Rs. 7 or 8 crores has been made. At this rate at least the rest of the province can claim 1,000 crores to be spent upon their improvement. Similarly on electrification scheme you have taken a scheme of electrification at a cost of 75 lakhs and that also for the suburbs of Calcutta. Instead of giving the benefit to a private concern, it should have been a national electrical power scheme of the province. What steps are being taken for nationalisation of the Calcutta Electric Supply Corporation? The position is that the Agreement between the Calcutta Electric Supply Corporation and Government is that the license will terminate in 1950. Government will have to serve the notice in 1947. Immediate steps have to be taken to make it possible for giving a proper and timely notice so that the option can really be exercised.

The last Ministry actually drew up a scheme to establish 5 spinning mills, all owned by the Government for making handloom really a prosperous cottage industry of the province, by ensuring to the weavers cheap yarn. What has become of that scheme? 20 lakhs of people depend on this cottage industry. For want of yarn this cottage industry is practically dying out. 40 *per cent.* of the Japanese cloth is produced by such co-operation between the factory and the cottage. That scheme has been abandoned by the 93-Government. Instead, permission to import machinery was given to big industrialists like Birlas, for starting textile mills in and around Calcutta. The present Government have given no indication about their policy in this and other matters of industrial rehabilitation.

About Education also, there is no indication of the Government's policy. The Government have nothing to say as to what steps they are going to take to reorganise secondary education. There is no scheme about the reorganisation of university education. These are essential steps for intellectual rehabilitation of the province.

Then I take up the question of jute. Bengal grows 5 crores maunds of jute. The jute has an extraordinary disadvantage in this that it is one of the few raw materials on which export duty has been imposed since the first world war. This tax produces Rs. 300-400 lakhs in some years, but nothing goes to the improvement of the lot of the jute growers. This House imposed, I think, in 1941-42, another tax of which about 45 lakhs are to be paid by the jute growers and another Rs. 13 lakhs for the improvement of the city of Calcutta. Most of the prosperity of the province depends on this jute, because it gives us the buying power from foreign country. We produce very few exportable articles to get foreign exchange, while the jute trade, jute presses and jute mills are making 40 to 50 *per cent.* profits on their capital, the growers of what is known as the golden fibre are passing their days in abject poverty and ignorance. Removal of price control will not alone solve their trouble, though this has to be the immediate step. What we must have is a sale organisation of jute of this province. Whenever we plead for the raising of jute price the interested persons talk of substitutes for jute by way of threat. But I submit that there is no such substitute that can compete with jute even if the price is pushed to

Rupees 40 per maund. If there had been any such, it would have been invented long ago. In pre-war days jute was selling at Rs. 30 a maund in 1920; no substitute displaced jute then; but today our Government has fixed the price at Rs. 17 and Rs. 20. There cannot be a worse case of systematic exploitation of the masses.

The Senate of America has refused to keep control on agricultural products. But control here is to continue. Two million people died of starvation in 1943 and 1944, because they could not buy rice at the high price ruling then and most of these people were jute cultivators.

In conclusion, I must emphasise that enormous effort is necessary to put the people on their foot in all fields. I hope the Ministers are conscious of the great responsibility that they have undertaken. On them rests the responsibility to fulfil the obligations that the League has undertaken unto the people of the province. They have not to carry on the old administration; on the other hand the machine, the ideas and the approach to the administrative policy shall have to be made from an entirely new point of view, in which the main stress is service of the people. It would be disgracing our own name, our own reputation as a party, if we cannot contribute substantially to the improvement of the lot of the ordinary man, physically and intellectually, free the administration from corruption and substitute in its place confidence, not only in the public services, but free the politicians from suspicion and prejudice. The Department of Civil Supplies and the Communications and Works Department have a special duty to clear up their reputation. The least that the Government could do to stamp out corruption in any shape and form is to institute a thorough enquiry into the administration of these two departments. Our permanent officials except that of Communications and Works had a very high reputation in days gone by. Let us do everything to restore back the old confidence: Politics are responsible to concentrate all the fires on parliamentarianism forgetting the drawbacks and abuses of the permanent services in corrupting the administration and it is necessary that we should look to that side also.

Mr. LALIT CHANDRA DAS: Mr. President, Sir, war and famine combined to furnish necessary excuses to the League Ministry to cover up many of their acts of omission and commission and for explanation to the unwary public for the many ills which they suffer under. War ended a year ago. The ministry denies there is famine since the middle of 1944 and, holds out a rosy picture for the future. Sir, the war notwithstanding, and in spite of world shortage of food since last three years, all the provinces in India produced surplus budgets. Particularly noticeable is the fact that Assam which was in front of the war zone as much as we were, presented surplus budget to her Legislature. But, Sir, like the prodigal son, unabashed, the Hon'ble the Finance Minister presents his Budget with a negative balance of 9½ crores of rupees on the Revenue Account.

In 1937, we started with a clean slate, the Government of India having wiped off Bengal's debt of 8 crores to the Centre.

Between 1937 and 1941, our ordinary revenue receipts varied between 12 and 14 crores of rupees, the expenditure balancing the receipts anyhow but showing a tendency to deficit. Then followed years with progressive increase in receipts, expenditure outpacing them enormously.

Between 1942 and the current year, our ordinary revenue receipts showed a meteoric rise. In fact, the ordinary revenue receipts of 32 crores in the current year is almost double of what we got in 1942-43.

Compared with that of 1945-46, although our revenue receipts fell by 5 crores, our expenditure for the current year is higher by 2½ crores over that of last year for causes which are really deplorable.

Sir, with lightheartedness, expenditure is undertaken without the least care for the poor and the down-trodden. A prudent and self-assertive Finance Minister would have resisted and foiled the demands of the unfeeling, unsympathetic bureaucrats to have 400 jeep cars and a number of speedy light planes for their joy rides in the Province and thus saved 25 lakhs. For, after all, what you call touring facilities for important officials is nothing but joy-rides and visitations to the poverty-stricken people of Bengal reduced to bone and skin. Sir, he should not have agreed to put a charge of 25 lakhs on the Provincial Budget for providing mechanised transport for increasing the mobility of the police force and for wireless sets in Calcutta and outlying districts. Like Mr. Guillotine who invented guillotine, he will realise what that mobility means if the Moslem League would take to direct action. The Congress is accustomed to oppression and sufferings. It will pursue and continue to pursue, come what may, her march to the goal of Independence.

As an all-India question, the Government of India should contribute the whole cost for all additional expenditure on schemes under the head "Police". To be a party by contribution to such expenditure in our present budgetary position on a branch of the Administration which is notoriously hostile to the aspirations of the people and at the same time inefficient and which gave evidence of callousness in shooting down in offensive unarmed students in the public streets of Calcutta and other people in other places—argues a state of mentality which is subservient to British Imperialism. In this connection, Sir, I cannot but refer to a recent act of barbarism on the part of the police. The incident took place in front of the Calcutta All-India Radio Station on July 29 last. We all know how complete was the *hartal* that day in Calcutta in which all co-operated except that bully of a man and a Bengalee to our shame, in charge of that station which was boycotted by its artistes that day. A number of girl students belonging to the Bengal Provincial Students Federation was posted as pickets at that station. At the instance of that bully, Sergeants were called in to deal with these girls when Indian constables refused to lift their hands against the picketers who were acting very peacefully. The result was that a jeep containing European Sergeants was driven straight on to the girls, 7 of whom were badly hurt and all of whom received injuries. Sir, we cannot express in words our indignation at the incident. We demand, Sir, that all posts of Sergeants be Indianised and those concerned in this ugly affair be forthright duly punished.

Sir, until better days, the extra provision of Rs. 75 lakhs under head "Civil Works" including 2 lakhs for air-conditioning of the Secretariat buildings in Calcutta should not have been made on the principle that we must cut our coat according to our cloth. Sir, the responsibility for the 2½ crore increase in expenditure over last year is fixed on Government's own incompetence on Government's failure in commercial sphere. Government say that a loss of a crore and a half, in boat construction is now inevitable. Sir, greed and corruption so worked hand in hand that the boats never done to specification could not find markets. An honest Government should institute an enquiry without delay as to these commercial dealings and fix responsibility and punish the wrong-doers. Is it too much to expect the Moslem League Government to do so?

Sir, the main charge against the Government is that it is top-heavy and corrupt. Provision for staff and contingencies in the Department of Civil Supplies including Rationing and Enforcement amounts to 6 crores. This department is so corrupt from top to bottom that all wish it were extinct and Bengal finance relieved of the heavy burden of its maintenance and the money thus saved devoted to carrying out well-planned schemes of nation building. But, Sir, it has made itself indispensable. So it must continue. It is regarding this department

that Mr. Gladding of the European Group and an impartial observer so justify observed "the main field in which our doubts arise is Government's commercial operations in foodgrains, sugar, salt and cloth and in the establishment side of these operations regarding which there is not much detailed information in the Red-Book as we should have liked to see". Sir, the figure for loss adjustable in the current year is 2 crores under foodgrains. Sir, we had before us the spectacle of procurement of rice and paddy without storage facilities and we know that for want of proper storage facilities, rice and paddy worth lakhs and lakhs of rupees perished. Even where there was storage, we had the spectacle of rice and wheat and flour thrown into rivers and by-paths as decomposed and unfit for human consumption, no timely action being taken to release them to save human lives or bring down the high prices of foodstuffs which were producing an unbearable situation in the country. What wonder, then, that such criminal inefficiency should have resulted in loss of human lives and crores of rupees. A watchful and a prudent Government could make 2 pice out of sale, as in other provinces, of subsidized food, procuring foodgrains in easy markets. An honest Government would have run down with an iron hand all black-marketeers, profiteers and hoarders who found their paradise in Bengal. Sir, we demand that an enquiry commitee be appointed to enquire into and report on the working of the Civil Supplies Department, to suggest, among other things, retrenchment wherever possible, and to recommend punishment for those responsible for bungling in commercial operations in purchase, sale and distribution of foodgrains and for punishment for those guilty of negligence in the loss of the foodgrains. This department, Sir, maintained at such a high cost cannot even give us a piece of cloth at a proper price without heaping insults. They chain us to a particular shop to get what by cloth rationing is allowed to us that is a few yards of very rough quality which you must take or leave as you like. Suppose, you require ten pieces of cloth most urgently. You are offered one piece on a "take it or leave it" attitude! Sir, nothing can be more disgraceful for a civilised Government than to be unable to supply food and cloth in sufficient quantities to the people committed to its charge. Judged by this standard, the Government of Bengal has miserably failed to discharge its duties.

Sir, as regards the Development programme, but for the Government of India, the Bengal Government would have been in sea. The total provision made is 12 crores 10 lakhs out of which 10 crores 45 lakhs fall under the Revenue Account. They have been distributed on Land Revenue, Irrigation, Agriculture, Industries, Medical, Public Health, Education, etc. Sir, there was no Planning Committee, no plan drawn up for any of the subjects or as part of All-India Planning, to be executed in a given month or years, such as is done in Russia where planning for a fixed period and executed according to time table has changed the face of the country. With us, it is all a case of subsidy from the Government of India and a haphazard distribution of the same on different subjects getting provision according to the luck of the Departments in charge of the same. The sum provided is again quite insufficient for any big plan to produce appreciable results commensurate with the needs of the country. I have my suspicions that in the actual working out of the programme, the bulk of the money will be absorbed by additions of ex-service men to the already top-heavy administration and will be a fruitful source of corrupt patronage. Much money of the Development Programme will go abroad in importation of materials. Of the sum allotted to Development projects, not more than 3 to 7 *per cent.* has gone to the nation building subjects, such as, Agriculture, Education, Public Health, Medical, Industry, whereas as much as 36 *per cent.* goes to Communications and Works which are carried out and executed by and the Public Works Department, which is commonly known as the Public

Waste Department. With these general remarks, Sir, I will now proceed to touch on briefly the different heads of the Development programme. First in order is the Land Revenue. Sir, the Land Revenue Commission recommended that steps should be taken to bring about an early end of the Permanent Settlement so as to bring the actual cultivators of the soil in direct relation with the Government. In this there are two distinct advantages. You will have 4 crores more income. The *ryots* in return will get the benefit in many fields, *e.g.*, in the provision made for the scientific methods of cultivation, improved health and education and their general prosperity. Sir, although the League Government have been in the saddle for years, no genuine attempt was made for abolition of the Permanent Settlement. A sum of 4 lakhs has been provided this year under "Land Revenue" for the inception of Revisional Operations in the Sunderbans and although revisional settlement was finished in Faridpur and is about to end in Barisal, no real step has yet been taken to liquidate the intermediaries between the Government and the peasant. Sir, it will take years, at the rate the Government is proceeding, to reap the full advantage of the liquidation of the Permanent Settlement. It seems to me that for the League, it is more an election cry than anything else.

It seems to me that a modern Government and modern science acting together ought to be able to make us independent of rainfall for the production of the necessaries of life. Here the Bengal Government have no scheme. They have taken recourse to the haphazard task of spending 30 lakhs for re-excavating derelict irrigation tanks of which we are told there are plenty lying scattered throughout the province. I apprehend, Sir, that the people will not get the full benefit of it. Most money will go to the pockets of the supporters of the Muslim League by a judicious distribution of patronage. In helping irrigation of extensive fields, such works will be of doubtful value. "Mor" irrigation project, however, strikes my imagination. If executed expeditiously, it ought to bring relief to many in the districts of Birbhum, Murshidabad and Burdwan. Similar projects and their fruition will be welcome in the deficit districts of the Eastern Bengal. We trust Government will not remain long unmindful of the interests of the peasantry in Eastern Bengal.

Sir, coming to agriculture, I observe that 80 lakhs out of 1 crore 29 lakhs will go for acquisition of lands and construction of buildings. Thus the main portion of the provision goes to Haringhata where in finding employment for *ex*-service men and in purchase and importation of materials from abroad for the Central Live Stock Research *cum* Breeding Station, it will be spent. Benefits to be derived by the people are remote and of doubtful utility. Sir, it is to the Agricultural Department that we look for the solution of our bread problem. Sir, in order to make Bengal self-sufficient in the matter of foodgrains, it is incumbent on the Government to bring into cultivation the cultivable but yet not cultivated lands of the province. Sir, in reply to my question No. 38 of this session, the Government told us that the total area of cultivated lands in Bengal is 28,360,000 acres and that of cultivable but uncultivated land is 3,159,880 of which 6 lakhs acres are known, and the rest believed to be cultivable. It is regrettable that no attempt, whatsoever, has so far been made by the Government to bring these into cultivation for production of food: First of all Government's attention should have been given to it and not to Haringhata. Not having done so, Government failed to do an obvious duty. The Grow More Food Campaign, so far pursued by the Government was more or less in the nature of League Propaganda. The way and the straight way to grow more food is the carrying out of a well-drawn plan to bring or cause to be brought into cultivation this huge lot of cultivable but uncultivated lands and no cost should be considered too much for it.

Then, Sir, uptodate scientific methods of cultivation to improve the lot of the peasant should be introduced without further loss of time. Russia in this respect offers an example. Sir, Russian peasants have taken to collective farming and are using up-to-date machines, tractors and other implements for cultivation and for rearing and shearing of crops. While making the state richer, the Russian peasants have become more healthy, wealthy and wise. Sir, the Russian peasants have been made to feel that they belong to the State and the State belongs to them with the result that, in defence of their own country, the Russian peasants rose to a man, defeated and disgraced the greatest military machine—the German Army. Act as Russia has done in relation to the Russian peasants. Make the Bengal peasants realize their true position in the "Body Politic". A similar result will follow. But I forget: It is a communal Government here. Nothing in the world would please the reactionaries more than to make the Muslims feel that the Hindus and the Muslims are two different nations, though the truth is that 90 *per cent.* of the Muslims are converts from Hinduism. Sir, the sooner this canker in politics which reacts so tragically on our economics is removed, the better it would be for all concerned.

Then as regards industries, the total provision in respect of projects of industrial development amounts to a crore of rupees. It should be the aim and object of the Bengal Government to make each and every village in Bengal hum with industries. With this aim in view, the Government should have a plan to carry it out in a given number of years. But we miss such a plan in the Budget. One scheme, however, is commendable, viz., the scheme for electrification of the semi-rural area of 2,200 square miles within the triangle formed by Gouripur, Burdwan and Krishnagar. Similar projects should have been provided for Northern and Eastern Bengal. The Bengal Government, instead of agreeing to subscribe Rs. 75 lakhs towards the capital costs for a large scale factory at Sundri for the production of artificial fertilizer for which the Government of India should alone bear the full costs should have devoted it for or otherwise made provision for electrification of large areas in North and East Bengal. In fact, if the Bengal Government know their own business, they should move to nationalize all the key industries, such as, coal, the public utility services, electricity, etc. Sir, electricity is the one energy which is so essential for a rapid growth of industries in Bengal. Sir, our Industries Department needs overhauling. As it is, it is a scheming department. It cannot be trusted to carry out any plan beneficial to the people. We have seen how it has bungled in the boat construction. Then last year, before 93-administration came into operation, Mr. K. Shahabuddin, the then Minister-in-charge, gave out that his department had drawn up plans for the establishment of two spinning mills—one in West Bengal and another for East Bengal—and promised that the works would soon be undertaken so as to plant the machineries. Sir, our Jogis and Jhulas—the weavers of Bengal—were and are suffering for dearth of yarn. We were crying for more and more production of cloth. These were two schemes which if carried out would have gone a long way to meet the needs of the people. Sir, will it be believed that on the assumption of office, the present Ministry on the advice of the Bureaucrats dropped those schemes? That advice was most certainly given in the interests of foreign trade.

Sir, I now turn to the Medical for whose facilities a provision of 2½ crores has been made. Sir, in addition to the scourge of malaria, smallpox and cholera, the scourge of tuberculosis is making rapid progress in Bengal. Over 3 lakhs of people are believed to be now in its grip. Not a single district is free from it. Besides a sanatorium at Amulia and a hospital at Kanchrapara for the treatment of tuberculosis patients, Government should multiply such establishment so that in a few years every district may have one. The existing privately started

Tuberculosis Hospital at Jadavpur, which is doing yeoman's service to the people, should have generous contributions from the Government. We know that out of 330 beds Government maintains 80, but this is surely not enough. We hope and trust Government will make very liberal recurring and non-recurring grants for its upkeep and improvement. Sir, we do not know why the Medical College at the Lake area should be temporary. Not only should the Lake area college be made permanent, but we urge that the two private medical schools in Calcutta be taken over by the Government and converted into colleges. We require more and more doctors every day for the incidence of sickness in Bengal is unprecedented in the annals of the civilized world. All the hospitals in Bengal should without delay be provincialised and attempts should be made to see that every Union in Bengal has a hospital to minister to the needs of the sick and the dying.

Sir, lastly I take up "Education" for whose development a sum of Rs. 75 lakhs has been provided. 20 lakhs go out of it for Lands and Buildings. Sir, little or no attention is being paid to adult education. Bombay has a scheme for it. They intend to conscript young graduates coming out of the colleges to do the work say for a year or two and then another new set taking their places. It is a good idea and this should be followed in Bengal for purposes of adult education.

The primary school teachers are in a very bad way. We will not wonder if in the fever of strikes now going on, they also catch the contagion. Then the right will be on their side. A very meagre provision of 20 lakhs has been made to improve the lot of the primary teachers in Bengal, who number one lakh twenty thousand. A crore should have been provided. A similar amount should be provided for the establishment and carrying out of scientific research works in the Universities of Calcutta and Dacca. Our scientific discoveries must keep pace with those done in America and England. It is ridiculous that a modern Government should remain oblivious of such a necessity. In this work the Provincial Government should approach the Government of India with a definite plan and that Government should very liberally help the Provincial Government, as after all, scientific discoveries and inventions when they come will benefit the whole of India.

Sir, while dealing with this subject of education, I desire to emphasise that communalism in education should be put at rest. Sir, on the novel pretext of reserving the profits for expenditure on primary education, Government is attempting to monopolise the publication of text-books for primary schools in spite of the opposition of the representatives of the Calcutta University and those of the All-Bengal Primary Teachers Association. It has given rise to genuine apprehension in the minds of the public that the monopoly right for publication of text-books, if given to the League Government, will lead to a serious deterioration of the language, literature and culture of Bengal and would infect young minds with the virus of communalism. I think the Ministry can with profit consult the European group whether in a matter like this they should proceed to acquire the monopoly if Congress would stand against it. This suggestion is due to the fact that of late the Ministry was advised by the European group not to proceed with the Secondary Education Bill without previous understanding with the Congress Party and the Ministry accepted that advice.

Sir, the action of the Government in reserving seats for medical eduation of the Muslim students in the Calcutta and Dacca colleges while keeping some more in its own hands to be filled up according to its own choice is one more instance of the angle of vision of the present Ministry towards education. We are not opposed to, but on the contrary we are anxious that the Moslem students should get as much educational

facilities as possible. For this, the Government has in their own hands a sufficient number of seats reserved. If, beyond this, there is further reservation, it must be made obligatory that the Muslim students should have equal, if not better, qualifications than the non-Moslem students, struggling for admission. Otherwise mere favouritism will lead to disastrous consequences such as turning out bad doctors who instead of being healers will be killers of the sick. Sir, we understand that 30 third division Muslim students got admission into the Medical College at Calcutta this year while brilliant non-Muslim students failed to get in. Then, Sir, in the appointment of the Director of Public Instruction also, a Muhammadan was selected while the claims of better and senior non-Muslim officers were ignored. In these key positions, communalism is a curse.

Miss ETHEL ROBERTSON: Mr. President, Sir, it is obvious that all of us are keenly interested in the welfare of the province. We have heard many interesting facts and suggestions about industry, agriculture, education and public health. In the matter of public health I think all of us can speak and act in unity. Public health is a matter which concerns each and every one of us individually. However much a man in his clean and comfortable surroundings may think that he is safe from infection and danger, he should remember that his food, his milk, his washing, in fact all the little details of his life are attended to by people in poorer surroundings. There is no one anywhere in this vast land who can afford to think only of his own health. It is a great pleasure, therefore, to hear that Bengal will have three tuberculosis hospitals. But three tuberculosis hospitals cannot possibly cater for the large number of T. B. patients in the province. I know it will put a very heavy strain on the Budget; but may I suggest that in the districts and in towns, we should have health visitors. In Rangoon nurses, trained as health visitors, are in definite charge of certain areas. They visit the homes of the people and see to the public health of the area. If the health visitor finds a case of T. B. or any other illness, she advises the patient about treatment and reports the matter to the public health organisation, which in turn sees that adequate steps are taken to check the disease. If your servant or *dhobi* is infected with T. B., you will most probably get the infection from them. Since we are taking special steps for the treatment of T.B., let us also take special steps for fighting other infectious diseases. There must be sufficient number of nurses to help the doctors. A doctor can only prescribe, but he has not got sufficient time to see that every one takes his advice. Nursing is an arduous and very useful profession which is not much patronised by all. Let us consider whether it is possible to offer our girls better condition. Remember that nurses have to work with great risk. They have constantly to deal with infectious cases. I quite agree that nursing is a noble profession and is performed with the highest of motives. But nurses are also human beings and have to live. When they leave their homes for work it is just fair and reasonable that they should have good conditions for their training and good prospects after they finish their training. It is very sad to think that she who has spent her life serving others has nothing to fall back upon when she grows old and retires from service. There is no provision for pension or gratuity for her. In your own interests and mine let us work to improve the public health of the province and the prospects of the nurses.

Dr. KUMUD SANKAR ROY: Sir, the Hon'ble Finance Minister has made his reply to the other House and it becomes easier for us to say a few words. He has told us that this Budget was really framed under section 93 régime and the Cabinet had no time to scrutinise every item of the Budget. Therefore, whatever the shortcomings and the good points, the responsibility for the good points as well as the bad ones cannot

be placed entirely on the shoulders of the Finance Minister. He has, however, told us that they have during the short period scrutinised some and made some changes here and there. In view of this and in view of his appeal for co-operation of all the parties, particularly in this critical period of the history of India and the appeal for co-operation and help which he has made in the concluding part of his budget speech, I would venture to make certain observations. In doing so I would limit my remarks to the public health problems of the province. Various other aspects of the Budget have been criticised by other members and I shall not waste your time in referring to them again. Although I am not a careful student of the Budget, I have been watching the Bengal Budget for a considerable period and I can say that this is the first time when out of a sum of 42 crores nearly 28 crores have been set apart for nation-building departments including 13 crores for famine relief work of the province. Those who have experience of the previous Budgets will bear with me out that previously lion's share used to be taken by the Police Budget. Therefore, this year's Budget is certainly a change in the right direction. I agree with some of the speakers when they say that although some provision has been made for the amelioration of the conditions of the people, yet the provision is not enough. It is quite right to say that if you want to eradicate all the evils which confront us, evils which we have inherited and which have accumulated for the last 200 years, you cannot achieve everything in a day; it will take at least 30 years and that too only if you put all your shoulders to the wheel. You would then be able to show some definite achievement in the way of improving the lot of the poor people of the country.

Now, I should make a few suggestions regarding the different items of the Budget. My first remark would be about the "Mor" project in the irrigation scheme. Some of my friends have criticised it from different angles. To me it seems that this project is expected to yield a very huge quantity of foodcrops, but at the same time in the absence of details one is not competent to say whether adequate provision has been made for it or whether the scheme has been thoroughly examined from every angle. The experience of Sukkur Barrage and Mettur Dam in other parts of India has not been at all very happy in every respect. It has unfortunately increased the prevalence of malaria in an epidemic form there. Therefore, unless and until adequate provision has been made in this scheme to prevent an outbreak of malaria in the areas where this scheme is to be operated, it may not be all to the good. I like to be assured by the Hon'ble the Finance Minister that he has thoroughly examined the scheme and has made adequate provision to prevent malaria in the localities.

I also find that the Government are going to provide Rs. 58 lakhs for a cattle breeding centre at Haringhata. This is a welcome move and it is likely to solve the milk problem in Calcutta and its neighbourhood to some extent. But what about the rest of the province? The most important point is the prevention of infectious diseases among the cattle which is responsible for a considerable number of cattle deaths. When the Prevention of Diseases of Animals Act was introduced in this House there were many members who raised doubts as to whether this Bill would be another of those inoperative bills of which we have numerous instances. Some of us thought that the bill would be inoperative, because although it provided fines for non-notification of infectious diseases of cattle, it did not provide the personnel that would be necessary to carry out the provisions of the bill. Everything was left on the shoulders of the Subdivisional Officers, who have plenty of other things to do. It was provided in the Act that nothing would be done without Subdivisional Officer's permission. He had not enough veterinary staff provided in the subdivision. Now, you know that this province has only one veterinary college which sends out 40 students every year of which several students

are reserved for other provinces. If that is the case, how are you going to satisfy the veterinary needs of the province, the personnel that would be required to carry out the preventive inoculation to prevent the epidemics among the cattle in the whole of Bengal, I do not see. I agree that the Haringhata scheme is a good measure, but it should be followed up with increased facilities for the training of veterinary staff. I should have been very happy to see the province provided with at least 5 veterinary colleges, one for every Division, because, after all, agriculture is the mainstay of the province. Unless you can improve agriculture, the province will go down and the prosperity of the people will never improve. Therefore, in the first line of attack against poverty and to improve the condition of the agriculturists, the first step would have been the inauguration of as many veterinary colleges as possible to provide the necessary staff required for the purpose. That is the observation I should like to make in this connection.

Now I do not want to make any observations with regard to "Industries" as there are others more competent to speak on these matters.

With regard to the quinine policy, I have said many things on many other occasions in the past and I do not want to tire this House and I think that the quinine policy of the Government has been a great mistake. The whole quinine policy was decided by a ring, the Kina Bureau. They controlled the quinine policy of the world. They fixed up the price and although the Government factories in India produced quinine at a price of something like Rs. 9 per lb., the price was fixed by this ring at Rs. 18 a pound and the poor people had to purchase the quinine at practically double the production price, I mean the price of the quinine produced in Bengal and elsewhere. This provision of 3 lakhs for quinine, I do not think, will help very much. About a million of people, probably more, die of malaria in the whole of India. I do not remember the figure for Bengal. We want very extensive quinine plantations so that the entire quantity of quinine required for Bengal could be supplied by these factories.

With regard to Emergency Beds, I have never felt very happy. They were very necessary at the time of famine relief operations, because in a short space of time one could not do anything on a permanent basis or on a satisfactory basis, but surely the time has now come when instead of trying to have them on a quasi-permanent basis attempts should be made to have them on a permanent basis. Even if the number has to be reduced it is better to have well equipped hospitals, better staffed and supplied with better medicines than to have too many undesirable and ill-equipped hospitals where people are reluctant to get admitted. I am glad to find that the Government is now going to convert the Campbell and the Dacca Medical Schools into colleges. Now this has a very long story. The entire medical profession in India had been carrying on an agitation for the last 10 or 15 years to abolish all the schools and to raise the standard of the schools to colleges. One of the reasons advanced against this was that the products of the college will not go to the villages and therefore there was need for a cheaper type of doctors for the villages. Well, I never heard of such an argument; as if the village life was so very negligible that you wanted to give them a cheaper type of doctors and as though the town life was more valuable and therefore you wanted to give a better type of doctors for the town people. After necessary agitation on behalf of the Indian Medical Association, other provinces have raised most of their schools into colleges. This stumbling block was in Bengal also and after a lot of agitation and deputation Government appointed a committee. As to the question of raising the schools to the college standard in Bengal, there were nine such schools—a committee was appointed to enquire and to

submit schemes. They recommended that all medical schools except the one at Mymensingh should be converted into colleges and I believe Government have accepted that recommendation of the committee and have made a beginning by converting the Dacca and the Campbell Medical Schools into medical colleges and I am told that the other recommendations of the committee, namely, the conversion of the Jalpaiguri, Chittagong and Burdwan Medical Schools into colleges will soon be taken up. I hope the Hon'ble Minister will see that no further delay is made to convert the other schools into colleges. While I congratulate the Hon'ble Minister for this, I would however ask—what about the non-official medical schools? There are three such schools of which two are in Calcutta. They have been practically doing Government's work. It is they which have supplied doctors, of whom there was a great dearth for the army and for village work. I hope they have not been left in the lurch and I want to request the Hon'ble Minister that he will very soon take up this question and will see that these schools are helped financially and in other ways, so that they can also be raised to the status of a college. I find that a sum of 19 lakhs is going to be spent on a temporary medical college. I am told that this is temporary, because the Government of India is going to help the college for a number of years, although I do not know for how many years. I do not know the details of the scheme, but I may tell the Government that if they are really going to spend as much as 19 lakhs on this temporary college, why not utilise this sum for a permanent college? If the Government want, I can help them with a scheme and can show that this 19 lakhs could be utilised in establishing a permanent medical college by subsidizing a non-official medical school, like the one at Gorachand Road (National Medical Institute), and thus with this amount it will be possible to provide Calcutta with another permanent medical college with the same amount of money.

I would like to say one word about the infectious diseases hospital which too has a long history. There was a great controversy going on on the question of an Infectious Diseases Hospital in Calcutta for the last 25 years. When I was the Chairman of the Health Committee of the Calcutta Corporation, the question was raised several times and the question that was debated was as to what proportion of the cost of such a hospital would be borne by the Calcutta Corporation and what proportion by the Government. One is glad that at long last this great city in the East is going to have at least one infectious diseases hospital, though for myself I should have wished that there were such a hospital in every district town, for after all cholera and small-pox are not the monopoly of Calcutta. They are just as prevalent in the villages as in the towns. I would therefore like the Hon'ble Minister to make a beginning in the near future, at least in one or two districts to build well equipped infectious diseases hospitals. Then with regard to small-pox. It is a preventible disease and in practically every other country this disease has been combated. There is no reason why small-pox should not be altogether eradicated from the province. All that is wanted is a system of compulsory vaccination and re-vaccination—compulsory re-vaccination every 5 years. For doing so it is necessary to have a vaccination survey while issuing the ration card. The people who issue ration cards could easily find out as to how many of each family are unprotected and they could then report to the Public Health Department regarding the personnel and number of unprotected persons from vaccination and the department could send vaccinators to vaccinate them and thereby secure that the entire population is vaccinated. The ration system is not only enforced in Calcutta, but it is enforced in all the important cities of Bengal. I earnestly request the Hon'ble Minister to see if some progress could be made towards compulsory

vaccination. I think it would be necessary to introduce an Act to make re-vaccination compulsory every five years: that is the way of every country of the world for eradicating this scourge and there is no reason why it should not be done here.

The previous speaker has very kindly referred to the T. B. hospitals—subject in which I am very much interested and for which I may say I have practically devoted all my energy for nearly 30 years. I am now glad to find that there is at least one person here who is taking some interest in this matter (MR. GEORGE MORGAN: There is another.) I am sorry I was absent at that time. I am glam that Government have at last started another hospital. There are certain non-official institutions as well as Government institutions. Whenever Government start an institution, if they do not take into consideration the salaries which are given by other institutions in fixing the salaries of their staff, it works in a vicious circle. These non-official institutions which are doing Government's work at a lesser cost cannot keep their staff satisfied. The result is that either they have to close their institutions or give increased salary in conformity with the salaries paid in Government institutions with the result that they cannot run the institutions with their limited funds. Therefore, I would ask the Government to fix a general standard scale of salaries which may be applicable to all hospitals and if necessary subsidise those private hospitals whose funds do not permit them to pay their staff to the extent which is considered justified, taking the present abnormal economic circumstances of the country into consideration. I hope the Hon'ble Minister would adopt some kind of policy which will be followed uniformly not only in Government hospitals but also in all the non-Government hospitals.

Then, Sir, there is another matter. When so much money is provided why should not Government pay a little conveyance allowance to their honorary visiting staff. After all, this honorary visiting staff do just the same kind of work as the paid staff.

I am told that I have only one minute more, so I would lastly refer to the question of nursing staff which has been referred to by my friend opposite. With regard to the nursing question, I am afraid I am rather disappointed to find that there is no tangible scheme. There ought to be one nurse to a population of 300 and at that rate Bengal would require at least 2 lakhs nurses. But we have in Bengal only 7,000 nurses. You will not be able to give effect to any schemes of your hospital expansion or public health schemes on the Bhore Committee's recommendations unless you can increase the number of doctors and nurses, and as my friend opposite has said, nurses are probably more important than doctors, I yield to her and place the nurses as more important than doctors, because doctors have to leave their patients to the mercy of the nurses. We have a Nursing Council——

Mr. PRESIDENT: Dr. Roy, how long will you take to finish your speech?

Dr. KUMUD SANKAR ROY: A couple of minutes. Now, Sir, we have a Nursing Council for the last 7 or 8 years. But we have been very much disappointed with the activities of this Council. Since the establishment of this Council we have not found any appreciable increase in the number of trained nurses. Instead of being helpful my impression is that they put unnecessary impediments to institution which wanted to train nurses. We wanted to train a large number of nurses more with a view to increase their number than their quality. Quality should be stressed after 10 years. What is wanted now is quantity first and quality afterwards. But the Council wanted a higher standard of efficiency and the result was that there were few nurses.

With these few words, I conclude my remarks on the Budget.

Mr. PRESIDENT: Order, order. The House stands adjourned till 1-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-15 p.m. on Tuesday, the 6th August, 1946.

Members absent.

The following members were absent from the meeting held on the 3rd August, 1946:—

(1) Mr. Yusuf Ali Chowdhury,
(2) Khan Bahadur Sheikh Fazal Ellahi,
(3) Sir Muhammad Azizul Haque, Khan Bahadur,
(4) Mr. Humayun Z. A. Kabir,
(5) Maulana Muhammad Akrum Khan,
(6) Mr. Syed Abdul Majid,
(7) Mr. F. C. J. Steuart, and
(8) Mr. Md. Taufiq.

BGP-46/7-7926A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 9.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 6th August, 1946, at 1-15 p.m., being the ninth day of the First Session of 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.), was in the Chair.

Public Accounts Committee.

The Hon'ble Khan Bahadur MOHAMMED ALI: Mr. President, Sir, the other day I gave an assurance to the House that by this date I will make an announcement of the Government's decision regarding the claims of the members of this House in the matter of representation in the Public Accounts Committee. We had two alternatives before us. One was the constitution of a separate Public Accounts Committee for the Upper House. The other was to give representation to the members of this House in a Joint Committee of Public Accounts. Sir, we have come to the decision that it would be preferable to have a Joint Committee of Public Accounts and therefore we are agreeable to give two seats to the members of this House in a Joint Committee. I have consulted the Leaders of some Parties of the Lower House and they have no objection to giving this representation to the Upper House but, as this is a question whereby the privileges of the members of the Lower House are affected, I am not in a position to say what attitude would be taken by the Leader of the Opposition in the Lower House. I had some talk with him yesterday but, as I was busy piloting the Howrah Improvement Bill, I have not been able to ascertain what decision the Leader of the Opposition has come to. He has not come to any final decision but subject to his agreement I can say that the Government have no objection to giving two seats to the members of the Upper House on the Public Accounts Committee. But how this is to be implemented is a matter which will have to be decided ultimately by the Hon'ble the President of this House and the Hon'ble the Speaker of the Lower House. We propose to have a conference——

Mr. HARIDAS MAJUMDAR: On a point of information, Sir. What is the existing strength of the Public Accounts Committee?

The Hon'ble Khan Bahadur MOHAMMED ALI: I think the existing strength is 9 and we propose to add two members to the Committee and these two members will be from the Upper House. As promised I have communicated the Government's decision and this is of course subject to the condition that the Leader of the Opposition in the Lower House does not object to it.

Mr. LALIT CHANDRA DAS: When does the Hon'ble Minister expect to hear finally from the Leader of the Opposition?

The Hon'ble Khan Bahadur MOHAMMED ALI: I propose to get in touch with him today. I had contacted him yesterday but our talks were inconclusive. I will contact him again today.

Mr. HARIDAS MAJUMDAR: As regards the number of seats I think that will be subject to the consent of this House?

The Hon'ble Khan Bahadur MOHAMMED ALI: I have given our decision from the Government point of view. We have decided to give two seats to this House on the Joint Public Accounts Committee.

Mr. LALIT CHANDRA DAS: Does the Hon'ble Minister tell us that he will let us know the views of the Leader of the Opposition of the other House tomorrow?

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes.

Committee of Privileges.

Mr. PRESIDENT: Order, order. There is one other short item, and it is regarding the Committee of Privileges. Seven valid nominations have been received for the seven vacancies in the Committee of Privileges. I, accordingly, declare under standing order 19(2)(*iv*) of the Standing Orders the following members as duly elected to the Committee of Privileges for the current financial year:—

(1) Khan Bahadur Abdul Latif Chowdhury,
(2) Mr. J. L. Nelson,
(3) Mr. Bankim Chandra Datta,
(4) Mr. Syed Badrudduja,
(5) Mr. Satish Chandra Sen,
(6) Khan Sahib Wahiduzzaman, and
(7) Khan Bahadur A. M. Shahoodul Haque.

General Discussion of the Budget.

Mr. HARIDAS MAJUMDAR: Sir, the Budget seems to be the prodigal's Budget——

Mr. PRESIDENT: I am very sorry to interrupt you. But I should mention one fact. We have got two hours only at our disposal—will you kindly take your seat, Mr. Majumdar?——but there are several speakers: I have got the names here of more than nine members who are anxious to speak. So I propose to allot ten minutes to each member; that will take one hour, and I must give——

The Hon'ble Khan Bahadur MOHAMMED ALI: Excuse me, Sir. If you give ten minutes to each of the nine members who are anxious to speak, then that will take one and a half hours and not one hour only.

Mr. PRESIDENT: I propose to ask only six of the honourable members to speak. So that will take one hour, and I must give the Hon'ble Finance Minister the balance of one hour to reply to the debate. And if there is any time left after his reply, then that time may be utilised in accommodating the members who are desirous of speaking but who could not speak.

Mr. AMULYADHONE ROY: What is the time limit, Sir?

Mr. PRESIDENT: Ten minutes.

Mr. AMULYADHONE ROY: I hope some exception should be made in my case, Sir.

Mr. PRESIDENT: Will you please take your seat, Mr. Roy? Mr. Majumdar.

Mr. HARIDAS MAJUMDAR: As I was saying, Sir, the Budget seems to be the prodigal's Budget. Revenue and expenditure for eight years from 1938-39 to 1946-47 are as follows:—

Year.		Revenue. Lakhs.	Expenditure. Lakhs.
1938-39	...	12,76	12,76
1939-40	...	14,31	13,71
1940-41	...	13,54	14,45
1941-42	...	14,94	15,50
1942-43	...	16,46	16,79
1943-44	...	21,34	32,53
1944-45	...	35,65	47,00
1945-46	...	44,82	39,05
1946-47	...	42,50	52,20

If we deduct from the revenue figure of 1946-47 two sums, *viz.*, Rs. 10,46 lakhs being contributions and miscellaneous adjustments between the Central and Provincial Governments and Rs. 6,97 lakhs being taxes on income other than Corporation tax the balance of Rs. 25,07 lakhs may be safely taken as taxes collected from the poor and lower middle class who constitute 95 *per cent.* of the population of the province. I ask, Sir, in all seriousness if heavy taxation of this type—double of the revenue of 1938-39—is the right way of rehabilitating a famine-ridden province. Warren Hastings wrote that in the year following the famine of 1770 revenue collection was highest for 4 years. A Ministry consisting of even angles cannot in the nature of things do any good by bleeding the people white and then trying to resuscitate them with the blood drawn out.

With the League Ministry in Bengal consisting of ordinary mortals susceptible to the temptations of the flesh, this process must be positively disastrous. The best course in a maladministered province would have been to tax the least, maintain a minimum administrative machinery and leave the work of rehabilitation to the people themselves. One measure which might have easily enriched the people to the extent of not less than Rs. 40 crores, nearly the same amount as our present revenue, was to ensure to the growers a price of raw jute in keeping with the ruling price of hessian. Harvesting of jute has already commenced and those who know the Bengalee peasant as my humble self does know, know that he has no holding power. As soon as jute is cut and washed it is sold. If the Ministry will continue its present delaying tactics for another month, jute will pass mostly out of the grower's hands and any steps taken afterwards will be of no help to the cultivators. Peculiarly enough the price of rice has risen highest in jute districts of East Bengal. Ninety *per cent.* of jute growers are Moslems. Ninety *per cent.* of jute mills here are under British management. Nearly 40 *per cent.* of India's Moslem population live in Bengal. If anybody were actuated by Machiavelian motive of perpetuating Moslem poverty, he could not do better than allow jute to be sold cheap. The successive League Ministries in Bengal have done exactly that. It was an English statesman, Lord Palmerston, who said that even Gods had no power over figures. The last Nazimuddin-Suhrawardy Ministry agreed to the fixation by the Government of India of prices of raw jute *jat* middle, Calcutta delivery at Rs. 17 maximum and Rs. 15 minimum while the price of hessian was fixed at Rs. 28 for 100 yards. The Bengal Government press-note on this subject published in Calcutta newspapers on the 8th February, 1944, clearly indicates that the then Ministry and the Government of India were in perfect agreement. The interest of Moslem peasants involved in the matter were so vast that any League Ministry claiming to protect Moslem rights might

have resigned on this issue if its decision were disregarded. If it cared to inquire it would know that 35 seers of jute are required to produce 100 yards of hessian priced at Rs. 28. The cultivators can never sell above the minimum price. Very often they have to sell below it and the memorandum of the Bengal National Chamber of Commerce complaining against jute selling below the fixed minimum is still fresh in public memory. Now the price of 35 seers at Rs. 15 per maund is Rs. 13-2-0. Thus a commodity worth Rs. 13-2 goes into the mill and comes out to be sold at Rs. 28 and in the black-market sometimes at Rs. 31. The milling cost and reasonable profit for 100 yards of hessian are below Rs. 3 and Rs. 5, respectively. Thus on every Rs. 28 the mills make a profit of nearly between Rs. 10 to Rs. 12. Before the Second Jute Enquiry Committee the representative of the Indian Jute Mills Association was adamant against giving this cost of production. If a small committee of eminent economists like Professor Benoy Sarkar and Professor Radha Kamal Mukherjee be appointed to find this cost I am sure it will arrive at the same conclusion. There is enough common ground. The excess profits tax and the dividends paid by the jute mills are so enormous that these alone might make the jute districts overflow with milk and honey. Jute is the pivot round which Calcutta's business moves. A simple calculation on the basis of the aforesaid figures and the annual production of jute will put the drain from the countryside to Clive Street at not less than Rs. 40 crores. The Moslem League Ministries for the game of the spoils of office valued at Rs. 5,99,800 are bartering away the economic interests of their countrymen and co-religionists to the tune of Rs. 40 crores. A parallel instance of letting down one's own people for small personal gain is hard to find in the modern world. The Ministry should secure Rs. 25 as the minimum price of jute in Calcutta or abolish all jute price control. If they cannot achieve either they should forthwith resign. Hindu legislators for the last 15 years have been continuously fighting for a fair price of jute and lamentably enough they have had to fight against Moslem M.L.A.'s as Dr. Sen Gupta recently wrote in the *Statesman*. If Hindu and Moslem legislators unite on this all important subject of jute on the abolition of jute zemindaries, who can deprive the cultivators of their hard-earned dues in a famine year? Is there any other issue in Bengal involving the colossal amount of Rs. 40 crores? In 1925-26 jute actually sold at Rs. 25 per maund. Why should not the same price be obtained now?

Much is being made of the absence of any provision in the Budget for the acquisition of zemindaries. Though I do not hold brief for zemindars I may say that amateurism is the order of the day and those who talk glibly for the abolition of landlordism never care to study facts. Will the lot of the ultimate tenant tilling the soil improve by jot or little if there be no private landlords or zemindars? Absolutely not. He will be rather worse off. He will have to pay the same rent as now including the landlord's portion of the education cess, etc. Only in place of a few intermediaries getting a share the State will take the entire sum. How does it benefit the ultimate tenant? At present he pays rent for one year only when that for three years accumulates. Thus the rent for two years may be treated as agricultural loan without any interest or with a low rate of interest. In view of the fact zemindars do not receive more than Rs. 12 crores per annum the amount of money thus lying with the tenantry at all time is not less than Rs. 20 crores. Is this not a formidable figure to be seriously considered by all students of rural economics? The Floud Commission notes that the Government started only 6 land mortgage banks in the province with a total advance of above Rs. 7 lakhs. Such is the achievement of our Government and still the wiseacres and the so-called friends of the tenants want to make over all zemindary rights to it. If their wish be fulfilled, Bengal will be at least a vast *khasmahal* area and if any referendum be taken of *khas mahal* tenants, it will be found that they are to a man willing to be under the zemindars. In *khas mahal* if there be default in payment of one year's rent, the certificate procedure which is a terror to the peasantry

is adopted and rent is realised by the *khas mahal* agents without mercy. The zemindar filing a suit when 3 years' dues remain unpaid has still to suffer from laws delay. Thoughtless legislation in the past has produced disastrous effect in Bengal. Considering that the majority of *mahajans* were Hindus, the League Ministries passed the Bengal Money-lenders' Act and the Bengal Agricultural Debtors' Act rendering any loan advanced to an agriculturist practically irrecoverable. As if to act as an eyeopener to the communal and shortsighted legislators the Bengal famine of 1943 came and small owners had to sell their land and swell the ranks of landless labourers. Had there been no such laws, these people would still be tilling their own soil though under a mortgage. The number of persons who thus became landless during the famine period is not less than 1 crore as asserted in a Krishak Proja conference. But who did the mischief? Was it not those Calcutta men who pose as friends of the *rayats* and those communalists whose only formula is the annihilation of Hindu economic interests. It is lamentable that the dumb millions sank in ignorance being unable to discriminate between their real friends and foes. The remedy for this state of things is mass education. Western democracy and vast illiteracy go ill together. The only practical way to spread primary education is to reduce expenditure on secondary education, specially higher education and spend the money on cheap village *pathsalas* where one *gurumahasay* can teach 200 pupils. To gain the maximum result at minimum expense and in the shortest possible space of time this is the way and there is no other. Any grandiose scheme will founder on the rock of finance. Teachers should receive adequate pay to maintain their families. Unless education spreads quickly, communalism will increase by leaps and bounds.

As regards development projects estimated to cost above Rs. 12 crores, I should like to ask, Sir, where is the machinery of administration to carry out this huge expenditure honestly? The boat scandal, the decomposition of large quantities of foodstuff, inability to maintain the price of rice at the high controlled rate within 3 months of the harvest though the shortage is calculated not to exceed six weeks' consumption as in the famine year, all point to the corrupt and inefficient administrative machinery we have got in the province. If 12 crores be spent, 10 crores are wasted or misappropriated or both. Besides, the price of all materials is still very high. As such the time is inopportune for undertaking ambitious projects now. A year hence double work can be done with the same amount. If however the Ministry is determined to undertake the large expenditure I would suggest, Sir, the appointment of two standing Committees of both Houses with 50 per cent. members from the Opposition with two experts on each subject. One committee should be the Planning and Checking Committee to examine all contracts before they are placed. Sir, I sounded a note of warning in this House on the boat construction question in time and insisted that the reputed firm of boat and ship-builders, Messrs. Bird & Co., be persuaded to take up the contracts. If my humble advice were acted up to the loss of 1½ crores could have been avoided. Another Committee named the Investigating Committee should scrutinise all contracts after their performance but before payment has been made and see if these have been carried out in the right way with proper materials. These two Standing Committees must be a permanent feature of the administration.

Mr. BANKIM CHANDRA DATTA: Mr. President, Sir. I congratulate Mr. Mohammed Ali on his renouncing the title of Khan Bahadur and for the statement he made in another place that he is not an officer under the Crown. Well, I am not concerned with the constitutional implications of such a statement but I do admire the spirit of that statement which I am sure is a healthy sign of the League attitude in politics. But, Sir, I am afraid I cannot congratulate him on his performance in the Budget. Sir, I have got to condense a lot in 10 minutes and shall therefore try to be as brief as possible.

Sir, the first impression after reading the Budget would be that it is a bureaucratic Budget heavily and carefully camouflaged. I was almost inclined to believe that our Mr. Mohammed Ali had no hand in the preparation of this Budget. It may be and let me hope it is so, that he had simply to put his signature but to shoulder the responsibility of such a Budget. Sir, one does understand that there is bound to be deficit as there is deficit in almost every other province. I do not quarrel with him on that account but I do quarrel with him when I find that out of the 42 crores of rupees which he is spending he is on paper, allocating 15 crores on Nation Building Departments. But, Sir, if we strictly scrutinise the various items and sub-items of expenditure under this heading and leave expenditure on the Civil Works items, we find that actually only about 5 to 6 crores of rupees out of a revenue of 42 crores are proposed to be spent on the Nation Building Departments. I have got the figures to prove my contention but I have not the time to give you those figures. That is why I said at the very beginning that I am unable to congratulate the Government there.

Sir, in a popular government and in Bengal, in particular, the very first thing immediately after assuming office one must see is that not one single Bengali dies in Bengal for want of food or commits suicide for want of cloth. That would be his sacred and solemn duty. Coming to the food question which I think is uppermost in everybody's mind today specially with the unthinkable and heartrending scenes of the famine of 1943 the Government should do every thing in its power to avert the catastrophe of 1943. I am sure that our Mr. Mohammed Ali was in the Ministry though not as a member of the Cabinet in 1943 and has seen with his own eyes how tens of thousands of our Hindu and Muhammadan brothers and sisters died in the streets of Calcutta, while the Cabinet Members, with friends and admirers were driving their cars to the Secretariat. Let all of us combine, sink all our political differences, make it an all-party question, and see that these things do not recur again. Only the other day in answer to a question from this side of the House as "regards the quantity of land cultivable but not cultivated", you will remember, Sir, the answer that was given was really a painful one. I am not used to using very strong language, but I may say that it was criminal apathy on the part of the members of the Treasury Benches, to make any answer of that description, namely, that we have no knowledge whatsoever about it, but the answer was based on information but which was "believed to be true". It is like equivocal affidavits. This sort of affidavit is common in law courts, when the man affirming it knows precious little about the case and when his information is not based on knowledge. Sir, where is the collection of the data necessary for stopping this chronic malady of food shortage, what are they doing? We all know that there has been a good deal of agitation going on in the press about the collection of data. I would not repeat all that here but may I just briefly put them again before the Hon'ble Minister and request him if he would kindly consider whether it would be worth his while to follow up the suggestion. But all the same we feel it our duty to express our opinion whether they accept it or not. About the collection of data, I would request the Hon'ble Minister to have an immediate survey of all vacant plots, district by district, and subdivision by subdivision giving sufficient details of the plan which may be necessary for the purpose of identification and showing the area of each plot, the nature of crops suitable for such area, etc., the name of the owner, whether it is a private firm, or Government or municipality.

Mr. PRESIDENT: Mr. Dutt, your time is up.

Mr. BANKIM CHANDRA DATTA: But, Sir, I have only started developing one of my points——

Mr. PRESIDENT: You have reached your time-limit but I allow you three minutes more.

Mr. BANKIM CHANDRA DATTA: Thank you, Sir. I shall be very brief and try to finish within the three minutes. Now, if the Hon'ble Minister would accept this suggestion and get a survey from his officers and if they tell the owners that they have got to utilise their particular plots in the way that may be suggested by Government, having regard to the nature of the crops which may usefully and profitably be cultivated, for example, paddy or tobacco, jute or fruit, within a particular period—and that if they fail to use such plot the Government will step in and do the cultivation. Get this done and get more food. Your food control order, if I may say so, is again a big bluff. Don't we know, Sir, that when an Indian Deputy Collector protested against the removal of food from the district of Chittagong, he was told bluntly that the foodgrains were wanted for the mules of the Army, and that the lives of mules of the Army are much more valuable than the lives of Indian civilian masses. That is the sort of foodgrain control order you have got. All this was for the army. Then again, your food procurement policy and the policy of distribution are all tainted with dishonesty, corruption, nepotism. Scrap the dirt—or the department will scrap you.

Sir, I would of course congratulate the Hon'ble Minister on his launching one Bill, namely, the Howrah Improvement Trust Bill and for this I am grateful to him. Let us hope that this Bill will be carried not only through the other House but this House also as soon as possible. I hope also that similar Bills and measures for the improvement of the suburbs be brought up and passed for the construction of bridges linking up Calcutta with its suburbs by every possible means—by means of light railways (say, up to a distance of 15 or 20 miles), by tubes, by electric trams, or by any other means which you may think proper and make a greater Calcutta, thereby you will be able to alleviate the present congestion and the present shortage of house accomodation in Calcutta. Your Rent Bill is no good—it can only control rents but not give more accommodation. Do away with the system of linking food cloth ration shops. Start delinking and help people to get what they like.

Mr. PRESIDENT: Mr. Amulyadhone Roy.

Mr. AMULYADHONE ROY: Sir, are you prepared to make an exception in my case regarding the time-limit because——

Mr. PRESIDENT: Better not try to bargain from the very beginning but utilise your time.

Mr. AMULYADHONE ROY: I want to be assured.

Mr. PRESIDENT: I am sorry, I cannot assure you.

Mr. AMULYADHONE ROY: However, Sir, under protest I accept it.

Mr. PRESIDENT: Order, order. Mr. Roy. If you want to begin under protest I would ask you to resume your seat.

Mr. AMULYADHONE ROY: May I know by what rules and procedure your eyes are caught?

Mr. PRESIDENT: Will you speak or waste the time of the House? If you waste the time of the House in this way then I take it that you do not want to speak.

Mr. AMULYADHONE ROY: Are you going to make an exception——

Mr. PRESIDENT: I am afraid, I cannot.

Mr. AMULYADHONE ROY: Then I accept it under protest. Sir, I take my stand here to voice the feeling of 6 crores of Indians, numerically the third biggest political party in India and deserves the first and the foremost consideration on account of their condition in which they are placed. I am the solitary figure in this Chamber and I say that our case is not less important than the case of any other group. I, therefore, most humbly and most politely appeal to you to bear this in mind.

Sir, I want to take up the most important subject—the subject which has threatened the political extinction of a great community in India, and that is the statement of the British Cabinet Mission. The proposal of the British Cabinet Delegation is a total betrayal of the Scheduled Castes who have been oppressed and tyrannized by the so-called caste Hindus for thousands of years. They have been relegated to the position of slaves in the name of Hindu religion.

Mr. BIREN ROY: Sir, is he in order?

Mr. PRESIDENT: I do not think he is. I am trying to follow him.

Mr. AMULYADHONE ROY: Sir, may I submit that in the General Discussion of the Budget we can move from earth to heaven and from heaven to hell. I submit I am within that boundary.

Now, Sir, the three representatives of the Cabinet Mission for the sake of a new ally deliberately broke the solemn pledges given to the untouchables by His Majesty's Government during the last 25 years. To placate and befriend the Congress the Mission did not even hesitate——

Mr. PRESIDENT: Order, order. Mr. Roy, I am afraid, you cannot speak on this issue here. We are discussing the Budget. You must remember that. You may discuss any subject connected with the Bengal Government.

Mr. AMULYADHONE ROY: I know, Sir, General Discussion of the Budget covers everything from the constable in the street to His Majesty the King.

Mr. PRESIDENT: I am afraid that is a very erroneous interpretation of the rules.

Mr. AMULYADHONE ROY: I do not know, Sir, why this is so much unpleasant to you.

Mr. PRESIDENT: Besides, this is not relevant.

Mr. AMULYADHONE ROY: As I have already submitted in the General Discussion we can move from earth to heaven and from heaven to hell.

Mr. PRESIDENT: Mr. Roy, will you please resume your seat? I am sure you are anxious to speak on the Bengal Budget but you can speak only on those subjects with which the Provincial Government are concerned. The Cabinet Mission's statement or the Cabinet Mission's scheme has nothing to do with the Bengal Ministry and the Bengal Budget.

Mr. AMULYADHONE ROY: General discussion of the Budget means everything.

Mr. PRESIDENT: It does not. You can come to my room and I will explain the rule to you.

Mr. AMULYADHONE ROY: I require no explanation from anybody.

Mr. PRESIDENT: I will not allow you to speak on this subject. You will have to resume your seat.

Mr. AMULYADHONE ROY: Occupying a privileged position you are asking a member of this House who is representing the voice and sentiments of six crores of Indians to resume his seat. I do not know why you should deal with me in this manner. I tell you, Sir, in most clear terms that I am not a man to be cowed down by anybody but I have much respect for the Chair. We have placed you on a higher level and I hope you will also——

Mr. PRESIDENT: Will you please take my friendly advice and go on with your speech?

Mr. AMULYADHONE ROY: If interruptions come from the honourable members on the other side and if interruptions come at every step from you, Sir, being the custodian of the rights of this House——

Mr. PRESIDENT: Please go on.

Mr. AMULYADHONE ROY: I want to know whether I can discuss the speeches, the false statements made in the House of Commons.

Mr. PRESIDENT: You cannot. That is a subject you cannot discuss on this occasion.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: He can do so provided it has a bearing on the Budget and is relevant.

Mr. AMULYADHONE ROY: Have I said anything up till now which is irrelevant? Has any member of this House stood up and said that it was irrelevant? Has any member objected up till now?

Mr. PRESIDENT: I also have my duty to see that you speak relevantly.

Mr. AMULYADHONE ROY: When I myself humbly pointed out to you that in General Discussion of the Budget I can cover subjects from earth to heaven and from heaven to hell you did not raise your voice but when you heard that I was going to discuss the proposals of the Cabinet Mission, you then, Sir, called me to resume my seat. You should know, Sir, that I am speaking on behalf of the community whose feelings are very very tense and you should also realize that this is the only subject which I shall deal with today because I want to expose the Congress.

Then, Sir, as I am interrupted at every step I do not know how to submit my case before this House and before you. I was telling you that to placate and befriend the Congress the Mission did not hesitate to sacrifice the untouchables at the altar of the Caste Hindus. They have proposed to hand over the depressed classes bound hand and foot to the mercy of the Caste Hindus. The Mission have brought the fair name of the British Nation into disgrace by treating the past and recent pledges of the British Government as mere waste paper.

Sir, let me now deal with the pronouncement of Sir Stafford Cripps made in the House of Commons and of Lord Pethick Lawrence in the House of Lords. Every word, every sentence used by them against the depressed classes require contradiction. Most of their observations are not really based on reality. I wish it to be most clearly understood by the Cabinet Mission that Dr. Ambedkar is the saviour of the untouchables, and is the only leader of the untouchables.

Mr. PRESIDENT: Mr. Roy, you must realise that your observations have got to be replied to by the Hon'ble the Finance Minister. I understand that your time is already up.

Mr. AMULYADHONE ROY: Will you kindly give me some time more? Besides, I am not responsible for this loss of my time.

Mr. PRESIDENT: All right. I give you five minutes more, but you must come back to the Budget.

Mr. AMULYADHONE ROY: Thank you, Sir. I am really grateful to you. As I was saying, Sir, Dr. Ambedkar is the saviour of the untouchables and he is the only leader of the untouchables, and the All-India Scheduled Castes Federation is the only organisation to represent the genuine opinion of the Scheduled Castes of India.

Mr. PRESIDENT: Well, Mr. Roy, how will the Finance Minister reply to your remarks?

Mr. AMULYADHONE ROY: I am not expecting any reply to my questions. I seriously ask where is the other claimant? What is the name of the so-called Congress affiliated organisation? Will Sir Stafford Cripps and Lord Pethick Lawrence be graciously pleased to name it? Is it the so-called Scheduled Caste League secretly born in a private room, kept in the lock-up of the Congress office and made out to advance the cause of the caste Hindus? (Mr. LALIT CHANDRA DAS: Question!) It is a misnomer, it is a fraud practised upon the Cabinet Mission by the Congress through the Quislings of the Scheduled Castes.

Mr. LALIT CHANDRA DAS: On a point of order, Sir. The honourable member is discussing the statements of Lord Pethick Lawrence and of Sir Stafford Cripps, whereas he should discuss the statement of the Finance Minister.

Mr. PRESIDENT: Mr. Das, as you have seen, I have time and again asked him to be relevant, but I have given him some latitude because he is the only representative of the Schedule Castes in this House.

Mr. LALIT CHANDRA DAS: I am sorry that this is not quite correct. There is another member from the Scheduled Castes here. The Congress has beaten the Ambedkarites and a majority of Scheduled Castes members has come here through the Congress ticket.

Mr. PRESIDENT: Mr. Roy, I am afraid you are irrelevant. I repeat my friendly advice to you; if you do not accept it, I shall have to stop you from proceeding further.

Mr. AMULYADHONE ROY: Sir, it has been said that there are other representatives of the Scheduled Castes in this House. I do not want to say anything about the honourable member who is present here, but I tell you, Sir, that I know how to deal with the dummies and dumb people picked up by the Congress to achieve its own object. As I was saying, Sir, I repeat it now that it is false, false, and false, the declaration of Sir Stafford Cripps that the Congress-affiliated organisation is spread widely all over the country.

Mr. PRESIDENT: Order, order. Mr. Roy, will you please resume your seat? As the honourable member has not accepted my advice I cannot allow him to go on.

Mr. NUR AHMED: With your permission, Sir, I wish to make a few remarks on the Budget which has been so ably presented to this House by Bengal's youngest Finance Minister. Though he had only three months' time to frame this Budget of 52 crores, it shows some sparkling flashes here and there of a new mind yearning to do some substantial good to his countrymen. We have been discussing the Budget from year to year and though provincial autonomy has been ushered in Bengal since the year 1937 yet in my humble opinion Bengal has failed to benefit by it at all. That old bureaucratic rule that used to prevail in Bengal before that date exists still. The young Finance Minister will do immense good if he can pull out his Budget estimates from the hackneyed groove. Under the present circumstances Bengal's Budget is bound to be deficit. Bengal with its largest population, with largest density of population, with its ever-growing needs, requires today larger resources, but resources have been

cruelly and unjustly crippled by Meston Award and Niemeyar Award. Bengal has been crying for full share of jute duty and larger percentage of tax on income but as yet Bengal has been allocated only 62½ per cent. of jute duty and 20 per cent. of divisible pool of income. Our popular Government should make stronger representation for a full share of jute duty and a larger percentage of income-tax for Bengal from the Centre. Frankly speaking, rightly or wrongly, I am one of those who sincerely believe that though provincial autonomy was ushered in Bengal with great fanfare in 1937 the autonomous administration so long has not shaken itself from the bureaucratic mooring, it has not been democratised and redtapism still plays a prominent role in its day-to-day administration. It has not adjusted itself fully to the changed circumstances and environments. It still does not reflect fully the people's weal and woe. The hackneyed and dull machinery has not changed its course considerably to popular will. Our young Finance Minister will do historic service to Bengal if he can bring about much needed changes in the day-to-day administration of Bengal so that it may be made to focus the sentiments, weal and woe, of the masses of Bengal so that Bengal can look upon its own administration with pride and glory and as a great nerve centre for their welfare and advancement.

The special feature of this year's Budget estimates is that it is deficit by 10 crores. It provides a sum of Rs. 12 crores 7 lakhs for development schemes. It provides large expenditure under heads General Administration, Police, Extraordinary Charges and other heads. It also budgets for large expenditure under the head Medical, Public Health, Agriculture, Nation Building Departments. It shows great loss in boat-making to the extent of Rs. 1½ crores, on sale of subsidised foodstuff 2 crores and increase in the expenditure due to dearness allowance Rs. 53 lakhs, increment in pay of lower paid servants Rs. 1 crore and additional expenditure for Police Rs. 30 lakhs. But for this increase it would have been a surplus Budget. The income of this province has increased from 12 crores in 1936-37 to 32 crores—an increase of 20 crores or more. Though the Budget is said to have been framed with the purpose of raising the standard of living of the masses, it is sadly lacking in many respects. Sir, with these preliminary observations I now propose to analyse some of the allotments made in this Budget.

General Administration: The cost of the general administration has grown up from about 134 lakhs in 1936-37 to Rs. 315 lakhs in 1946-47, an increase of 181 lakhs. It appears that in 1940-41 expenditure on general administration of Madras was 280 lakhs, that of Punjab 119 lakhs, U. P. 142 lakhs, that of Bombay 76 lakhs. How these provinces manage with smaller sums, is for the Bengal Government to pause and consider.

Police: Expenditure under the head Police has increased from 230 lakhs in 1940-41 to 345 lakhs in 1946-47, an increase of 115 lakhs on the expenditure of 1940-41. Madras with about 124,000 square miles area with a population of 471 lakhs spent Rs. 162 lakhs on police in 1940-41, Bombay with 77 square miles with a population of about 200 lakhs spent Rs. 151 lakhs, U. P. with an area of 112 square miles spent 178 lakhs, the Punjab with an area of 135,000 square miles 128 lakhs. But these provinces spent a larger sum on education in that year. Madras spent Rs. 273 lakhs on education.

Under the head Education, I find a huge sum of Rs. 2 crores, has increased since 1936-37. Though some increased expenditure has been shown under head primary education still primary education could not be made compulsory in Bengal. Only allotting certain sums here and there will not do. The Primary Education Committee sat as long ago as in 1939 and published its report in 1939 but no attempts were made to give effect to its recommendations, no tangible action has yet been taken in regard to this matter. I appeal to the Hon'ble Minister that its recommendations should be implemented, I mean this scheme of compulsory primary education. I

must say one thing about Moslem education. Moslem education is lagging behind inspite of the fact that the portfolio of this Department has been in the hand of a Muslim Minister since 1920. No special allotment has been made for encouragement of Moslem education.

Mr. PRESIDENT: Order, order. Mr. Nur Ahmed, I understand that the reporters are finding difficulty to follow you if you speak from the microphone.

Mr. NUR AHMED: Sir, I have almost finished. I shall only conclude by saying something about malaria. I find that Government have provided only Rs. 3 lakhs for combating malaria. I submit, Sir, that this is not at all sufficient.

Mr. PRESIDENT: Sir Azizul Haque.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: Sir, the reason why I wish to participate in the Budget Debate today is to congratulate my friend Mr. Mohammed Ali——

Mr. SULTANUDDIN AHMED: On a point of order, Sir. We find from the newspapers that Sir Azizul Haque has renounced his title. If it is a fact then he should not be addressed as Sir Azizul Haque.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: So far as I am concerned, it is a fact. I do not know whether it is a fact with others.

Sir, if I wish to participate in this debate today it is primarily to congratulate my friend Mr. Mohammed Ali on his presenting the present Budget which in spite of the difficulties under which this Budget has been presented bears signs of a new effort to rehabilitate and reconstruct the economic life of Bengal. In doing so, I join with him in making the same appeal to all sections of the representatives in the House and through them to the wider public outside for helpful co-operation. I feel that the time has come when we Bengalees must do a little bit of hard thinking among ourselves. We have been really in such a difficult position—thanks to the financial position which was determined for us for the last 20 years! We have hardly been able to make any headway. And, Sir, if I am not too parochial I may say that often-times I feel how much we have gone behind in comparison with others in this period. We had no resources for our local bodies, no financial resources for the province as a whole. And along with it we have added troubles of our own creation, troubles which we can settle among ourselves, in which we can sit together and find out some remedies. It is therefore meet and proper that Mr. Mohammed Ali towards the conclusion of his Budget speech has appealed for the co-operation of all. Sir, oftentimes I have felt within myself if we cannot, whatever creed or parties we may belong to, bring about a truce for at least 2 years during which all parties might agree and work together for a common goal, and to take up reconstruction works of Bengal. I still hope, we shall. But one or two speeches that I have heard, lead me to feel otherwise; I have heard that every little thing in the Budget is attributed to communal motives, every little bit of the history of the past is looked upon from a communal angle. I wish that the Hindu and Muslim legislators should co-operate and work side by side in matters concerning the welfare of the province as a whole; we are all interested in them whatever might be our creed and convictions in the matter.

Sir, I wish only to say this that Mr. Mohammed Ali will earn the gratitude of the whole of the people of Bengal if he will only do one thing. And that is, in front of his room wherever he may sit in the Secretariat he may kindly keep a chart to watch the progress of the works which are being introduced and proposed in this Budget. There are very large works to be done in Public Works Department, in Industry, in Agriculture, in Education and in various other Departments. It should be possible to pick up 50 or 60 of them, to represent them in a chart at one place; if he can only

do this and find out the progress at the end of a fortnight or at the end of a month and follow his own method which was done with a view to finding out some of the defects in some of our public institutions, I am perfectly certain Bengal by the end of the next year will be in a much better position. I have often noticed that there are many in this province who get money, but as soon as they get money they get a spirit of defeatism among themselves, this cannot be done or that this requires expert examination which may take a very long time. I do hope and trust that with his undoubted energy and drive he will be able to infuse some enthusiasm amongst those who are the head mechanics in the different departments whether he is the Irrigation Chief Engineer or the Chief Engineer of the Public Works Department or the Director of Public Instruction or the Director of Agriculture or the Director of Industries; if he can get a little enthusiasm in them to see that the budgetted projects are actually taken up and finished and if not finished at least good progress made at the end of the year he would be doing a great service to this province.

Sir, I feel that this is the test of all those who are in charge of the administration of the province of Bengal because here money has been provided and all that is necessary is to see that that money is duly spent on works for which it is meant. So far as members of this House, and I believe of the other House also, are concerned, I am perfectly certain that each and every one of us will be at the disposal of the Finance Member with a view to see in every possible way that the numerous measures on public works and other projects are actually given effect to and actually executed. I am also certain if a certain amount of responsibility is devolved on the members of the Legislature, not any direct responsibility or executive responsibility, but some sort of supervisory responsibility is devolved on the members of the Legislature at least so far as works within their areas are concerned, then the work will probably achieve greater progress than it did in the past. Sir, I have very bitter experience of road making here, and you, too, Sir, have knowledge also of the speed with which works are taken up. I do not want the nerves of my friend the Finance Minister to be underserved in any way. Whether it is a matter of cement or whether it is a matter of bricks, or of iron and steel, that should not stand in the way because behind the statement that he has made I could discern at places that he anticipates difficulty in these respects. If I find that these difficulties are equally applicable throughout India, then I have no quarrel with him, but if those materials are available to the other provinces, if bricks can be made in other provinces, if cement is available in all other provinces, then it must be possible to make them in this province also. If any province requires help it is this province.

In this respect may I make a humble suggestion? I have been away from Bengal for some time and oftentimes I have felt a strain on me when I had to hear so many things of Bengal elsewhere. One thing that stands out in Bengal in contrast to other provinces is the human sufferings which Bengal had to put up with in the year 1943 and onwards up to the present day even. The extent of the sufferings of Bengal is not realised even. The extent of the sufferings of Bengal is not realised in other provinces. I remember, Sir, almost with tears in my eyes that when people were dying in the streets of Calcutta we were told that Bengal was profiteering. I also remember that a distinguished gentleman, in the forefront of public life, exactly at a time when thousands were dying due to the ravages of malaria also said that Bengalees know well how to advertise themselves. Well, Sir, I feel that we have done very little to publicise our sufferings. They have been told sometimes but not the entire truth or the story. I do feel that Bengal has a very good case to make to the Central Government and to other countries, showing the amount of sufferings that it had undergone in the year 1943, 1944, 1945 and even in 1946; whether it is in the shape of the money which Government had to spend, in the shape of loss of human lives, in the shape of reconstruction of roads or villages, or hospitals and

other things the penalty that Bengal has had to pay has been very heavy indeed and I do hope that other provinces should know the extent to which Bengal had to suffer as a result of the war—a war which was not Bengal's creation. Unfortunately Bengal stood at the frontier and would have been the first victim and over the dead bones of its people other provinces and countries would have escaped with their lives. Therefore I think some publication, some illustrative documents showing what enormous sacrifices both the people of Bengal and its Government had to go through, in the shape of human sufferings, etc., should be collated and presented to the provinces in India and to the world at large so that they might know the true position of Bengal. That would make the task of Bengal easier.

I will say a few more words only. As my friend has said he is not entirely responsible for all the provisions in the Budget and I am prepared to exonerate him from this blame. I shall however make one or two suggestions and that is this: There has been a complaint that we are thinking everything in terms of Calcutta. I cannot understand why a second Medical College should be located in Calcutta. Let there be as many hospitals here as are possible. But certainly for the medical education of the province there need not be two institutions in Calcutta when there is dearth of such institutions in the mofussil. So it is desirable from many points of view and particularly from the education point of view, some of the institutions should be located in rural areas.

Again why is it proposed to have only one small potato-breeding farm for distribution to the whole of the province? It is said that they will distribute seeds of the Government farms. Now, Sir, Government farms produce certain hybrid seeds which are not suitable for use by the poorer classes. I should say that the immediate task before the Government should be to have many local seed farms and to see whether for the time being good seeds from everywhere could be distributed to the people. I do not say anything in any spirit of pride or boast; but last year I myself made some experiments in this direction and I made arrangements to distribute about 27,000 packets of seeds of four or five kinds of vegetables in my own districts. These seeds were largely welcome by the people and wherever I went I found that the people wanted these seeds. If Government seeds could be supplied in full they would be welcome by the people, but it cannot meet the full needs and so other seeds should be distributed. Again instead of importing dehydrated potato from Australia if you can distribute good local potato seeds in rural Bengal you would be doing far better service to the people. I am therefore nervous about one five-acre potato-breeding station scheme. You cannot cater for the whole province with this five-acre. One pilot farm cannot save Bengal and I am yet to see that one pilot.

The second point that I want to raise is with regard to fishery scheme of the Government. Government is proposing to have Khulna as one place to have a fishery. But there are other places where they should also launch their fishery scheme, namely Goalundo, Mymensingh, Barisal and other places. These are as important as Khulna from fishery point of view. Steps should be taken to see that fishery preservation scheme is taken up as soon as possible.

Now, Sir, as I have very little time, I would only touch upon my last main point, namely, the question of help to the local bodies. Have Government in contemplation anything to replenish the resources of the local boards, district boards and municipalities? Their roads have been practically ruined beyond redemption by the war traffic. It is a well-known fact that in most of the municipalities and district boards of the province they have been completely ruined. I do emphasise here that if Bengal has any claim on the Central contribution that claim should first of all be on account of the ruined roads of the province. Under the circumstances I hope Government would immediately take steps with a view to co-ordinate measures necessary to replace these roads. This is the first claim that

should be made to the Government of India and I suppose the Central Government fund could be utilised for this. But if Central Fund cannot help us we should ourselves do something in this direction. Bengal cannot live unless local boards, municipalities, union boards and other local bodies are alive. I do hope that there should be some sort of planned project with a view to improving the condition of these local bodies.

Lastly, with regard to the electrification scheme it is all to the good and we welcome it. It would have been much better if Government could launch simultaneous electrification schemes in both North Bengal and Eastern Bengal. Those who are experts in the subject will agree with me that the electrification of North Bengal with a zone of its own and the electrification of East Bengal with a separate zone of its own could be simultaneously taken up.

Now, as regards zemindary system, we want that the present zemindary system should be abolished. It is due to this system that most of the districts in East Bengal are in precarious financial position. Mr. Tarak Nath Mukherjee who is here will be able to bear me out that whereas Hooghly district has been providing one dispensary for every 30,000 people some of the districts in East Bengal have not a dispensary even for 1,20,000 people. The result is that adequate medical relief cannot be given to the people in East Bengal; the resources of the local bodies are so small. The reason is that the cess income is about 3 annas or 4 annas in Western Bengal districts whereas in the East Bengal it is just about one anna only. And with that meagre sum one cannot give relief to the people or improve the district. The vested interests must for once transcend beyond their selfish needs with a view to putting an end to this system.

Then about the massive districts of Bengal. Take for instance the district of Mymensingh. If you do not divide the district which has a population of 6 millians, then it will be impossible for you to manage the whole district. You cannot attend to public health, education, sanitation and medical relief and so on and so forth. Sir, I have been studying this question and I feel that if this state of affairs continues for a very long time then most of the districts in East Bengal will face a very heavy mortality. If steps are not taken to rectify this state of things in massive districts where there are millions of people it will be impossible for any Government to save the situation. However, I am sorry, Sir, that I had to take a little more time of the House.

I will conclude by saying this Ministry should see that in some of the Government colleges at least Islamic history is introduced as a subject in the I.A. and B.A. examinations. I am glad to say that the present Finance Minister introduced this subject in his own college and that college has done already good service. But this subject should also be introduced in the other Government Colleges including the Islamia College.

Mr. PRESIDENT: Mr. Sen, you will get 5 minutes.

Mr. SATISH CHANDRA SEN: Sir, I would congratulate the Finance Minister, but not certainly as my predecessor has done it, but for his frank confession that he has been suffering from a terrible shock of a bad legacy. For that frank confession certainly he deserves congratulation. With these words, Sir, I like to discuss within the short time at my disposal some of the details in the Budget placed before us. The first thing is about the scheme which the Central Government has promised to finance and has asked this Government to contribute a certain amount in the interim proposal.

Regarding this interim proposal I find a reference at page 135 of the Explanatory Memorandum. The Government of India called for from this Government interim schemes for the development and for the post-war reconstruction of the country. Where are those schemes and proposals, we do not know. What is the Govenment of Bengal's proposal, what is the

money that has been allotted, how they are going to spend the money, we do not know. But we find this, Sir, that 12 and odd crores has been placed by the Central Government at the hands of this Provincial Government for this purpose. But unfortunately this amount has been proposed to be spent not in schemes meant for encountering unemployment and for post-war reconstruction of the country but in other account. They have been allotted in small driblets in the revenue account. For the execution of certain proposals a certain amount has been given. Why this amount should be spent in other purpose—we do not know. Sir, the most important question in this connection that should have come before the Finance Minister is this, how they are going to encounter unemployment and how they are going to repair the war damages. But we find practically nothing regarding these in this Budget. We want to know how they are tackling these two important matters. These are matters which certainly deserve the attention of the Finance Minister and I hope that he will take this House into confidence about his intention regarding interim schemes and will bear in mind that this is very necessary.

One other thing to which I would like to draw his attention is the labour question. Sir, regarding the labour question I do not find that he has taken serious note of what is happening in this country. One thing which occurs to me and about which I feel anxious is the strikes and lockouts that are going on. What are the proposals made by the Government in this connection? How to deal with this problem? Rule 81A of the Defence of India Rules is going to expire very soon: Have the Government any proposal to replace that provision? We do not know what proposal has been made to incorporate the provisions of Rule 81A. Unless immediately a machinery is set up for settling trade disputes between the employer and the labourers, matters will take a bad turn. Government should not adopt the *laissezfaire* principle in this respect. The Government must intervene in such disputes and should take immediate action for setting up machineries to have these disputes settled. There are other questions which I think by an administrative order the Government may solve. We have been asking the Government for a long time for the extension of the provisions of the Payment of Wages Act to industrial establishment. By an administrative order the Government could have given the benefits of this Act to a vast number of the workers. Why they have not yet done, I do not know. So this is also one thing which I hope the Finance Minister will consider and will pass it on to the different Ministers who are concerned with the different departments for necessary action. As my time is up with these few remarks I would rather congratulate again the Finance Minister for the frank confession he has made and for the way in which he says he has started his work with an open mind and that is the only hope for us.

Mrs. LABANYAPROBHA DUTT: Sir, I sympathise with the lot of the Finance Minister, but I cannot congratulate him on the presentation of his first Budget. It reveals, as he explains, that he had no hand in its framing. He even did not care to consider the suggestions of this House that were ventilated in the debate of year before last. He may choose to say that it was meant for the ears of the then Finance Minister. But, Sir, we address Government through you, and the Finance Minister was also a member of that Government. I suggested last time for the training of more nurses and also for the opening up of a number of schools on the lines of the Anderson Training School for Lady Health Visitors. I endorse Mr. Biren Roy's suggestions regarding provincialisation of all hospitals in Bengal and to improve their conditions and wherever possible to open up new ones. The Finance Minister has himself taken on him the responsibility of Health and Local Self-Government administration and it behoves him to look at the pace, the snail's pace, at which the scheme for Maternity and Child Welfare is progressing in this province. Instead of taxing the poor by means of indirect taxation in various ways he should wake up, curtail expenditure and try to give some relief to the womenfolk in the rural and urban areas

in Bengal. It should immediately be made compulsory for municipal boards to establish Maternity Homes in their respective areas and the Government should help by contributing in the shape of instruments, procurement of building materials and land, where it is difficult. The Government should also take upon themselves the responsibility of starting such maternity centres, and child welfare clinics in every subdivisional headquarters. I would like to see that 16 m.m. cinema films on health and sanitation instead of political propaganda and advertising of ministerial achievements are exhibited throughout the province with other interesting shots and a Health and Local Self-Government Advisory Board established with the representatives of the all-India Women's Conference, Bengal Municipal Association, the District Board Association, the main political parties and the Government, and this body should meet once every three months and their suggestions given effect to by the Government for the amelioration of the living conditions of the people of this Province.

The Hon'ble Khan Bahadur MOHAMMED ALI: Mr. President, Sir, this is for the second time that I rise to tackle a very difficult task, namely, that of replying to all kinds and manners of criticism raised against my Budget proposals for the year 1946-47. All kinds of issues have been raised and all kinds of subjects under the sun have been discussed, and one honourable member, as you will remember, Sir, tried to go beyond the sun for he wanted to take us even to heaven and hell. Anyway, Sir, as he ascended to things which are without our comprehension, I will not touch upon the points raised by him but I shall deal only with the main issues raised by the various speakers. Then, again, I shall deal only with those issues which are of general importance as you will realise that I have not got sufficient time to deal with merely local matters or matters of minor importance. At the outset I shall make it clear that we assumed office after the commencement of the financial year, and a Budget had already been prepared during the section 93 regime, and we had to base our proposals on the Budget that was already there. And within the time that was at our disposal I think we have been able to make a good deal of modification in that Budget and we believe that we have been able to improve the proposals to a very considerable extent. I am grateful to members who have offered helpful, constructive and practical suggestions. I shall deal with those suggestions and issues in the order in which they were made.

First of all, I shall deal with my friend Mr. Biren Roy who initiated the debate. The main points in his speech were that the Budget was the usual one and completely unimaginative. I do not think that this calls for any reply. If on the contrary he had any imagination then I am sure he would have seen that the Budget proposals this year varied considerably from the "usual" Budget proposals. We have launched upon a very comprehensive nation-building development programme, and we have allotted over 12 crores for this purpose. But even then Mr. Roy says that this is only the usual Budget. Therefore I am afraid I cannot comment on his powers of imagination.

The second point that he raised is that no attempt has been made to reduce expenditure on account of the high salaried officials. Mr. Biren Roy realises perhaps that we are working within the four corners of the Government of India Act, 1935, so we have our limitations and he also perhaps realises that even if we want to make drastic changes we are unable to do so. In the Congress provinces where Congress is in power no drastic change has been made. Even in those provinces the augmentation of the police force is going on, a subject which has received a good deal of criticism on the floor of this House.

The next point taken up by Mr. Biren Roy was regarding the public health services. Now, Sir, we have before us the Bhore Committee's Report. The report of that Committee has dealt with that subject and recommended some scheme for the improvement of the rural public health of the province. That scheme is under our consideration and we are

examining it. With that end in view we have introduced two pilot schemes to check and ascertain both the curative and preventive aspects so far as the public health is concerned, and if we find that the scheme works well we shall be in a better position to introduce this scheme in other parts of the province. While speaking on this subject I may inform the honourable members that the Government of India have called for a conference of Provincial Ministers in charge of Public Health. This conference will be held towards the end of this month or beginning of the next month. The Government of India are anxious to have a uniform policy of rural public health throughout the country and we are awaiting the result of that conference. As soon as we know the position we will be in a better position to give effect to the recommendations of the Bhore Committee in this respect.

I now come to the other item, namely, temporary hospital in the Lake area. Mr. Biren Roy's contention is that a huge provision has been made for this temporary hospital and that it could have been made permanent. Dr. K. S. Roy also considered this point and was of the same opinion. He said that with the money we are proposing to spend for this hospital we could have a permanent hospital and medical college, and, if necessary, he is prepared to help us in the matter. Sir, we welcome his suggestion and any scheme from him on the subject. We would also like to have a permanent Medical College Hospital here if we could have the money for it. I should like to make the position quite clear in this connection. This is a Government of India scheme and so far as the establishment cost of the hospital—thousand-bedded hospital—is concerned, it would be borne half by the Government of India and half by the Government of Bengal. The Government of India will bear the entire cost of the College and the entire capital cost of the temporary hospital and so far as the maintenance of the hospital is concerned the cost will be borne 50: 50 by the Government of India and the Bengal Government. We have made provision for private institutions about which both Mr. Biren Roy and Dr. Roy have spoken. We have provided for 15 lakhs capital and 5 lakhs recurring grant for Post-War Reconstruction scheme so far as this item is concerned. There was a proposal to reduce the recurring grant from 5 lakhs to 1 lakh but we have restored the amount. So, this sum may be given as financial assistance to deserving medical institutions. Dr. K. S. Roy is associated with an institution which is doing wonderful work in this province from the time when there was no other institution for tuberculosis. This institution has done marvellous work and has saved hundred of people and thus saved their families. We feel that this institution deserves fullest support from Government and that support will be forthcoming.

Now, so far as the accommodation for the police is concerned, I would like to state that I have already made it clear in my Budget Statement that major part of the money will be coming from the Government of India and we have undertaken the construction because it is the Government of India's directive that we should spend a large amount of money which they place at our disposal for the purpose of construction work because in their opinion this will go a long way in the solution of the unemployment of the labouring class.

So far as the petrol tax is concerned, I need not dilate on this issue now, because this subject will come up very soon before the House when there will be some amount of criticism. At that time I think I shall have ample opportunities to justify the enhancement of the tax. Personally, I think it is a better kind of tax as it is better to tax the richer section of the people for the benefit of the poor people.

As regards the provision of jeeps and aeroplanes, somebody wanted to know the details about these two items. Perhaps he knows that we want to keep pace with the march of time and for that purpose we want that there should be facilities for closer and quicker contact and more frequent personal contact between the districts and the provincial headquarters of Government. With a view to providing means of maintaining closer and

more frequent personal contact between districts and the provincial headquarters of Government than it has been possible to achieve hitherto with imperfect means of surface communication available for this purpose arrangements have been made for maintaining in Calcutta of some pool consisting of 5 aeroplanes which have been purchased from the American disposal organisation at a total cost of Rs. 39,133 plus custom duty of Rs. 2,974 at the rate of 3 per cent. The planes are meant to carry senior Secretariat officials to the districts and back to Calcutta without undue loss of time. Mr. Biren Roy took to aviation I think as far back as 1928-29—I hope I am correct—and he has a great deal of interest in it. (MR. BIREN ROY: But I have no plane.) Now when the Government of Bengal wants to introduce a system by which they will keep closer contact with the districts it was least expected from Mr. Biren Roy to raise his voice of protest. (MR. BIREN ROY: I did not oppose it. I said, "Don't use it for police purposes".)

Now there has been a good deal of criticism on the question of subsidised foodgrains and it was also contended that Government stood to gain by this transaction and that is why some of the members were surprised that a loss was shown on this account. I shall deal with that. So far as this question is concerned, I may say that although the purchase price of rice and paddy has come down the existing old stock procured at a highly inflated price raised the valuation of the total quantity with which the Government have to deal in the course of the year. The margin of loss is being steadily reduced but the stage has not yet been reached when loss can be wholly eliminated. I may state for the information of this House that the loss on this account, namely, in the matter of food subsidy was 13 crores 95 lakhs during 1944-45. With improved storage facilities and stricter supervision coupled with reduction in the price of rice and paddy and production of more quantities in the province the loss of the current year is estimated at only 2 crores and 30 lakhs. I can assure the House that constant vigilance will be exercised and the most stringent steps will be taken with a view to minimise the loss as far as practicable. There is a certain amount of criticism that the Government make a profit, that they purchase rice at a lower rate and sell it to the consumer at a higher rate. If the members who have spoken like this have not realized at least I realize that Government are not selling directly to the consumer. The Government sell rice in the mofussil and also very greatly in Calcutta to wholesalers and wholesalers have to sell it to the retailers who sell it in turn to the consumers and at every stage the original cost increases proportionately. And in order that the rice may be available to the eligible consumer at a reduced rate Government have to sell at an uneconomic price and therefore the question of subsidy and loss comes in. I will give the figures, the average cost of procurement of rice per maund. In April of this year it was Rs. 13-10-4. In May, 1946, it was Rs. 13-12-9 and in June this year the purchase price was Rs. 13-12-7. The break-up of this will show how we come to the above figure, this total cost per maund to Government. Apart from the cost of the maintenance of the Civil Supplies Department this is the total out of pocket expenses of Government. Now it will be seen that the price of rice only in April, 1946, was Rs. 11-1-6 and adding incidental expenditure made up of freight, commission, transit charge, etc., of a total of Rs. 2-8-10 the total came to Rs. 13-10-4. Rs. 2-8-10 was the total incidental expenses per maund and the total cost is Rs. 13-10-4 per maund. The average selling price is less so as to make rice available to the poorly paid consumer. The cost to Government was Rs. 13-8-3 between 1st July, 1945, to 31st December, 1945. Therefore it will appear that the Government have to subsidise sale of rice to consumers and that is why there is loss incurred in the interests of the poor people.

Now I have dealt with all the major points raised by Mr. Biren Roy. I now come to Mr. Birendra Kishore Roy Chowdhury. He raised the question of Permanent Settlement. Mr. Kamini Kumar Dutta also said a

good deal on the subject, and I may quote Mr. Dutta in his speech. Anyway, he said that people raised the question of the abolition of Permanent Settlement as a political slogan and he, as a matter of fact, blamed the Ministry in the matter of non-implementation of its declared policy regarding zamindary and Permanent Settlement abolition. But I can assure Mr. Dutta that Government have already taken steps to implement this programme and policy of the Ministry. Mr. Dutta let the cat out of the bag however when he said that even if Permanent Settlement was done away with even then the people of Bengal would not be much benefited. Sir, this discloses that it is Mr. Dutta who raised the question of Permanent Settlement and said that it was necessary although he did not believe in it, but that as a political slogan he used it for political purposes and, permit me, Sir, to use the expression, he was talking with his tongue in his cheek, when he was giving utterance to those views regarding the abolition of Permanent Settlement in Bengal.

The items dealt with by Mr. Birendra Kishore Roy Chowdhury have been replied to in connection with my reply to Mr. Roy. I now come to the speech of Rai Bahadur Dhirendra Lal Barua. He raised a very vital issue. He enquired why it is that we approach the Government of India with the beggar's bowl for doles and why is it that we cannot stand on our own legs. Sir, the honourable member forgets the Meston Award, the Niemeyer Award, and the great injustice done to Bengal by these two Awards. He forgets that a major part of the income of this province is appropriated by the Centre; he forgets the injustice done to Bengal in the matter of the allocation of the jute tax, jute, which is the monopoly of Bengal. It is, as my friend Mr. Hamidul Huq Chowdhury rightly said, "the only commercial crop" of the province. After he has considered these facts he will realise that Bengal's inability to launch upon big comprehensive schemes without financial assistance from the Centre, if the Centre do not interfere with its financial resources, was due to the fact that in the matter of income-tax although it paid over 16 crores or thereabouts, the total receipts in Bengal in 1945-46 on account of income-tax other than corporation tax was 16 crores and 74 lakhs but the Centre allotted to her as her share of this tax only a sum of 5 crores 75 lakhs in 1945. It this tax alone that we paid under the head "income-tax" had been left to us, this year, inspite of difficulties about famine' and war, would have been no deficit year, let alone the question of the receipts under customs, communications and Central excise. Even if all other kinds of taxation were kept intact then Bengal would have been not only a self-supporting province but a large-surplus province. Therefore the question of approaching the Government of India with the begger's bowl does not arise. What we demand from the Government of India is a demand based on our legitimate claim. We can legitimately expect them to come to our assistance especially in view of the fact that Bengal has undergone great sufferings on account of the famine and the war. As Mr. Morgan pointed out in his speech if we had not to expend what we had to under "Extraordinary charges" and famine and civil defence, we would not have to face a deficit this year. It is only on account of the war and the famine that we are faced with this deficit when other provinces have reaped the benefits of the war. Bengal has suffered and honourable members have asked as to why is it that Assam did not suffer like her, though Assam is nearer to the theatre of war. She was closer to the theature of war, so why is it that Assam has not suffered like Bengal? The answer is quite clear. Bengal was the base of operations. In Bengal there were large encampments posted of the military; not so much in Assam because Bengal was the base of operations for the eastern theatre of war, and that is why the sufferings of Bengal were greater than those of Assam. It is for that reason, if not for any other reason, that our claim from the Government of India is fully justified and we can naturally and legitimately expect the Central Government to come to our help, because Bengal suffered and is suffering not for her own fault.

Then, Sir, Rai Bahdaur Barua has raised the question of the education of his own community and said that there is no special grant for the education of Buddhist boys and girls. But if he refers to page 300 of the Blue Book he will find that there is a grant for the education of Buddhist students. Apart from the provision for the education of Anglo-Indian and Scheduled Castes students, there is a special provision for the education of Buddhists boys and girls——

Rai Bahadur DHIRENDRA LAL BARUA: On a point of order, Sir, I have not referred to the religious education of the Buddist students, but I spoke about higher and technical education of the——

Mr. PRESIDENT: Rai Bahadur, I hope you will not interrupt the Hon'ble Finance Minister, there is very little time and he will have to finish his speech.

The Hon'ble Khan Bahadur MOHAMMED ALI: Now, Sir, I come to Rai Bahadur Jogendra Nath Ray. He has said that scanty provision has been made for *busti* dwellers. I may tell him that under the post-war scheme we have a provision of Rs. 15 lakhs for the improvement of *bustis*. This is in addition to the scheme which the Calcutta Improvement Trust may take up from their own fund. Therefore it can be seen that we are undertaking *busti* improvement and rehousing scheme on a large scale. There is going to be a separate branch attached to the Local Self-Government Department, namely, a branch to deal with town planning. When this is done I am sure adequate provision will be made for its working. Of course it is a very big problem which bristles with many difficulties. But I can tell you that a very good beginning will be made this year.

There is another question raised by Mr. Mohalanobish - he raised the question of supplying subsidised food to Government servants. It should be realised that the rise in the cost of living has greatly affected the poorly paid Government servants and they can with great difficulty make their both ends meet. It may be said—why dearness was not given—why this subsidised food is allowed to them: this is a question of economics. Sir, I am not an expert in economics. But I may tell you that by allowing subsidised food we are keeping down the inflation. If we give money instead of subsidised food, then the purchasing power of the people will increase and the prices of all other commodities will increase. So we get into the vicious circle. Therefore Government feel that in place of dearness allowance it is preferable to allow subsidised food.

Next, Sir, I come to the Tista Valley Scheme. The honourable member knows some details about the project and wanted to know when it will be taken up. The position with regard to that is that Government are awaiting the Report of the Geologist who is carrying on a geological survey. Then it may be necessary for further exploration. This work cannot be taken up before the winter of 1947. Preliminary steps have been taken. geological and soil survey is going on and as soon as the report is received every scheme will be taken up in connection with the project.

A question was raised about the high prices of fish. Government are aware of it and if the honourable members will refer to the Government scheme with regard to their fishery policy he will be satisfied that Government are doing everything to remove the scarcity of fish.

Then the other question is about the Enforcement Branch. He said that the retired Sub-Inspectors and Inspectors are being appointed in this Department. The policy of this Government is not to appoint retired or superannuated persons but at the start of this Department some retired officers have been appointed because there was dearth of experienced persons at that time. In very exceptional circumstances the present Ministry appoint retired officers. I can assure my honourable friend that superannuated officers will not be appointed so as to bar younger and fresher men

from being appointed in the service. He proposes to abolish the Enforcement Department. I am afraid this is not a practical proposition. I think we have not been able to check the blackmarketing very much and if we abolish this Department the blackmarketing and profiteering will be rampant and widespread. Control even at this stage is necessary. So this question cannot be entertained.

As regards police rearmament, I would only draw the attention of the honourable members to the activities of the Congress Governments in other provinces.

So far as the boat construction scheme is concerned, a good deal of criticism has been made by various members. In another place I have dwelt at length on this question and I suppose I shall have to give some details in this House also. So far as this question is concerned, I am in a very awkward position. The fact is this that there has been some amount of bungling, I confess. I believe in facing facts squarely. There have been some extenuating circumstances. The extenuating circumstances were in the denial policy. The Government of Mr. Fazlul Huq had to destroy a large number of boats belonging to persons in the East Bengal who used to prosecute their normal avocation by means of these boats. There were other boats which were used as a means of transport. With the destruction of these boats the whole economic life there was disturbed. Government felt that they should allow these persons to construct boats but as there was scarcity of timber Government undertook this construction. After the terrible famine the magnitude of which is realised by all, Government tried to expedite the matter of boat construction. The total liability is Rs. 262 lakhs. In 1944-45, Rs. 10 lakhs, then Rs. 157 lakhs and the outstanding bills now amount to Rs. 95 lakhs making a total of Rs. 262 lakhs. Of this whole sum only 175 lakhs have been paid. The great weakness of the Government lies in the fact that contracts were framed in such a manner that even if the boats were defective Government were bound to pay. There were defects in the specification also. There were wrong specifications. Some military officers were also engaged in these contracts who were appointed by the Government of India and the boat construction ended in fiasco. But the result was that Government of Bengal had to incur this great loss. But as I have promised the other House, I will tell the honourable members that I shall conduct an enquiry into the matter and I repeat my assurance that if any one is found guilty he will not be spared.

Mr. HARIDAS MAJUMDAR: But are you going to pay the balance of their bill before the enquiry is complete?

The Hon'ble Khan Bahadur MOHAMMED ALI: Now I come to Mr. Dutta. He has raised most of the points. He suggested that the maximum salary allowed to a Government official should be Rs. 1,500 and the minimum Rs. 80. Sir, it is a very desirable proposition indeed in a province like Bengal where the people cannot get two square meals a day. Here people are half-clothed, half-famished and disease-stricken. This, therefore, is a very good suggestion. Personally speaking I am in complete agreement with him on this point and I will cite my own instance. About 8 years ago I tabled a resolution on this subject in the lower House saying that the salary of the members of the Imperial Services should be reduced and that resolution was accepted by the House but unfortunately no action could be taken because that is a matter which is beyond the competency of the Provincial Government. I have already pointed out to the members the limitations under which we have to work and this is one of the limitations that we cannot touch the steel frame of the administration in the matter of their emoluments.

Sir, Mr. Toufiq suggested the formation of a committee to advise the Director of Consumer Goods. I am unable to offer any comments on it but

it appears to me to be a very good suggestion which I think should be considered by the Government and hope it will receive Government's consideration. Then he has said something about the Sales Tax, about the method of collection, and he has suggested a different procedure regarding the imposition of the tax. He thinks that the tax here in Bengal should be such as in Madras, namely, instead of being a one point tax it should be levied on all transactions. I have examined this question though I have not gone into the details but I feel that the system now prevalent in Bengal is better than the system in Madras in the sense that the cost of an article does not come to so much as what it would be if a tax were imposed at all stages. The tax here being a one point tax, a person is to pay the tax only once on an article but if the Madras system was followed or if we had accepted Mr. Toufiq's suggestion then the tax on one commodity might have to be levied 4 or 5 times when it passes through 4 or 5 hands. Therefore I think the burden of taxation will increase if we accept Mr. Toufiq's suggestion. But one point in this connection I may say and he has also referred to it. There is no gain saying the fact that there is considerable leakage in our revenues under this head. We got 3 crores and 9 lakhs as revenue under this head last year. One member made an enquiry what is the basis on which we have estimated our revenue under this head. Is it on the basis of one anna he enquired? It is on the basis of 9 pies. Our Budget is framed on the basis of 9 pies and not on the basis of 1 anna which was the case in the Governor's budget. I think the honourable member is a bit confused on this point. It is on the basis of 9 pies that we got 3 crores and 9 lakhs last year. So at least we will have a receipt of the same amount this year if not more but I realize that if we do not really prevent leakage and if we do not enforce our authority strictly the whole purpose of my scheme will be defeated. I am afraid I cannot disclose the nature of the machinery which I have set up but I can assure the honourable member that we have set up a machinery so as to catch persons who dodge this tax and I hope that if we are successful we will be able to prevent the leakage and our provincial revenues will be benefited. I have replied to the question about whether the estimated receipts from the Sales Tax have been based on a one anna tax or on a three-pice tax. I believe this question was raised by Mr. Charu Chandra Sanyal. I have said that it is based on a three pice basis.

Mr. Sanyal has objected to spending any money for the proposed scheme for the education of the cultivators and demonstrators, etc. I do not know why he objects to this provision. We must do our best in order to educate the masses. The people of Bengal are mainly illiterate and this is one reason why the progress of this province has been so much retarded. Our first aim should be to educate the masses of the province, and it seems strange, Sir, that any honourable member of this House should object to any scheme or provision which tries to give some amount of education to the rural people.

I have already dealt with the question of a temporary medical college near the Lakes. Dr. Kumud Sankar Roy has suggested that the National Medical Institute at Entally should be raised to the status of a college. I believe he referred to the medical institution at Gorachand Road. Is that correct? Yes, I find it is so. I can tell Dr. Roy that the proposal has been already mooted by the authorities of the institution for upgrading the school to a college and they want certain kinds of assistance from the Government in the matter of giving them facilities in this respect. Government have already promised the authorities of the institution that they will place some beds of the Government hospital at the disposal of the students of that institution so that, as required by the University Regulations, they can upgrade the school to the standard of a college.

So far as Tuberculosis is concerned, we have already got two schemes, one the Amulia scheme and the other the Kanchrapara scheme. But I have not the time, Sir, to enter into details with regard to them. I can say for the information of some honourable members who asked as to why all the

schemes were to be located in western Bengal and why none was proposed for Eastern Bengal, that we have in contemplation a scheme whereby such a hospital will be located at Dacca in Eastern Bengal. We propose to have the hospital started as soon as possible at Dacca which will meet the needs of the people of Eastern Bengal.

The question of the nationalisation of industries is a vast one and within the compass of a few minutes that is at my disposal I won't be able to deal with it at any great length or with satisfaction, but I may say that at the present moment this matter will require a good deal of capital outlay which we cannot afford. But so far as I am personally concerned I agree that certain classes and kinds of industry should be nationalised, but that is a different matter altogether and we cannot take up this complicated matter just now.

Mr. Shahadool Huq complained against the topheavy administration. I have already dealt with that. He also wanted the abolition of the posts of Divisional Commissioner. With that matter also I have already dealt and said that the limitations under which the administration is carried on is the reason as to why it has not been possible to do all these things. He has also suggested that deterrent punishment should be given to the black-marketeers. We agree that deterrent punishment should be meted out to the black-marketeers and if the honourable members will remember, only the other day a person who sold petrol at more than the controlled rate was fined Rs. 5,000 and as there were three such men they were fined to the tune of Rs. 15,000 and in one case compulsory imprisonment was awarded. I hope the House and my honourable friend will agree that they were all deterrent punishments.

The question of irrigation projects in western Bengal was also raised and in this connection the absence of any scheme for eastern Bengal was also mentioned. Sir, honourable members must realise that so far as this plan is concerned, it is for the first year, for an interim period only. We are going to go forward each year with a four or five-year plan. The amount distributed will be in accordance with the needs of an area and I may assure the House that no parts of any district will be neglected. In this connection I will make only two observations. In the first place, the current year's provision will be based on an initial instalment of five years' planning, and necessary modifications will be made to make it uniform throughout the province. Anyway no honourable member need entertain any apprehension that any area will receive less attention that it deserves. We are going to have a schedule prepared, district by district, (this is under compilation at the present moment), and as soon as it is ready the House will have an opportunity to decide for itself how the provision should be distributed in the province. Sir, the observations made by one honourable member for contributing substantially to the economic needs of the province have been kept prominently in view. Therefore I think honourable members will be satisfied that we are not going to neglect any part of the province. Equal justice will be meted out to all the districts.

Then, Sir, I come to Mr. George Morgan's speech. He has raised certain very important questions and I should like to deal with them. Firstly he spoke about the defects of the Civil Supplies Department. I have already dealt with this matter and do not wish to repeat. Then, Sir, he raised the question about the establishment of a five-acre potato-breeding station. This is really an experimental scheme designed to evolve improved commercial varieties of potatoes. The following is a brief description of the scheme.

The scheme aims at development of improved commercial varieties, and varieties immune from or resistant to diseases. The commercial varieties cultivated in India are not immune from or resistant to blight—the most destructive of fungus diseases, and are neither field immune to any of the viruses or virus strains prevalent in this country. These diseases are taking

a heavy toll of the potato crop. This demands development of commercial varieties immune from diseases since some of them cannot be effectively controlled by fungicides or other methods. The farm will be situated in the district of Darjeeling but the whole of Bengal will benefit from the results obtained. This is so far as the five-acre potato-breeding station is concerned. So far as his query about the National Park is concerned I may say that the scheme aims at the establishment of a National Park for public recreation in an area, which is rich in natural beauty and is a centre of wild life, with a view to providing a centre for building up the health and cultural development of the community. For this a suitable site at a non-malarious altitude in the hills, adapted to the requirements of such a scheme having been looked for, a village called Labha near Kalimpong has been selected as an appropriate site, being rich in natural beauty and contiguous to wild life in the Game Reserves at Jaldapara and Chapramari it is proposed to form a National Park Committee from among the residents of Kalimpong. The formation of a Committee will be followed by an air survey of the area of the park, the demarkation of the boundaries on the ground, which are the first steps towards development of the scheme. A pilot Directorate of National Parks and Game Sanctuaries will be created for planning and executing the scheme.

Another question raised by Mr. Morgan is about the coast and estuarine fishery and the provision of fishing fleet. The present idea of the Government is to run this project as a direct Government concern. I may inform the honourable member it is not a Government of India scheme but it is a productive development project to be financed entirely by loans advanced by the Government of India.

Mr. Morgan's other question is whether the 12 crores obtainable from the Government of India for development project is an open credit, unlimited in time. With regard to that the position is that the Government of India have agreed to advance (*a*) grants totalling 69 crores, and (*b*) loans at present not limited in amount, for financing the development projects of the Government of Bengal for a five-year period commencing from the current year. It follows from this that if we cannot spend 12 crores within the current financial year, we shall not lose the benefit of the amount but it will be available for expenditure later on during the five-year period. So the question of any amount lapsing does not arise.

He also raised the question of road development scheme of Bengal. I have got all the figures here but I have no time to go through that because I must finish now.

I now come to Mr. Lalit Chandra Das's speech. He raised the question of the air-conditioning of the Writers' Buildings. This project was sanctioned in section 93 regime and the contract was already given——

Mr. PRESIDENT: Mr. Mohammed Ali, I suggest that you continue your speech and finish it tomorrow as the first item, because I have to adjourn the House now.

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes, Sir, I am quite agreeable.

Mr. PRESIDENT: I will allow you 15 or 20 minutes before we take up other items tomorrow.

Mr. LALIT CHANDRA DAS: Yes, Sir, that will be better.

Mr. PRESIDENT: I must adjourn the House now.

Adjournment.

The Council then adjourned till 1-15 p.m. on Wednesday, the 7th August, 1946.

Members absent.

The following members were absent from the meeting held on the 6th August, 1946:—

(1) Mr. Abdulla-al-Mahmud,
(2) Mr. L. P. S. Bourne,
(3) Mr. Kamini Kumar Dutta,
(4) Khan Bahadur Shaikh Fazal Ellahi,
(5) Mr. Humayun Z. A. Kabir,
(6) Alhaj Yar Ali Khan,
(7) Maulana Md. Akrum Khan,
(8) Mr. Syed Abdul Majid,
(9) Mr. Nagendra Nath Mahalanobish
(10) Mr. T. B. Nimmo, and
(11) Mr. F. C. S. Steuart.

BGP-46/7-7999A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 10.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 7th August, 1946, at 1-15 p.m., being the 10th day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

Question regarding Price of wheat from the Punjab.

The Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain rose to reply.

Mr. PRESIDENT: Are you in a position to reply to the supplementary questions arising out of this question?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I am sorry I shall not be able to do so.

Mr. PRESIDENT: In that case this question may be held over.

Invitation of applications for the post of Lecturer in the Subordinate Appointment of a lecturer in Oriental Vedanta.

55. Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) whether the Director of Public Instruction, Bengal, invited applications for the post of Lecturer in the Subordinate Educational Service in Sanskrit (Oriental-Vedanta) for men, by advertisement in a local daily on the 2nd May, 1943;

(*b*) whether the age-limit of the candidate was fixed at 35 years on the 1st July, 1943;

(*c*) whether in pursuance of that advertisement, applications were received from candidates, out of whom two persons were selected, but who were ultimately found to have understated their age and consequently their selection was cancelled;

(*d*) whether there was a subsequent advertisement for the said post in another daily, dated the 16th April, 1944, requiring the following qualifications for the appointment:—

(*i*) that the candidate must not be over 45 years of age on 1st March, 1944, and

(*ii*) that the candidate must possess title in Vedanta with reputation as a scholar and teacher, good knowledge of Mimansa and Upanishad and also English would be additional qualifications;

(*e*) whether it is a fact that the person appointed to the said post had no title in Vedanta or other required qualifications and was much over 45 years of age on the relevant date;

(*f*) whether it is a fact that he has been appointed as a Lecturer of Nyaya, and not as a Lecturer of Vedanta, in the Sanskrit College;

(*g*) whether the candidate appointed stated his age to be 38 years only in his application and whether it is a fact that he passed his first (Adya) Examination in 1911; and

(*h*) if the answer to part (*f*) is in the affirmative, why a Lecturer of Vedanta for which applications were invited, was not appointed and why a Lecturer of Nyaya was appointed without inviting any application for the said post?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*), (*c*) and (*d*) Yes.

(*b*) Yes, but "35 years" was a printing mistake for "45 years".

(*e*) He had no title in Vedanta, but as a research scholar he read all the Vedanta Shastras and had other qualifications and experience. He was considered by the experts to be the most suitable candidate in Vedanta. He is not over 45 years of age but is below that age.

(*f*) No; he has been appointed as Lecturer in Vedanta.

(*g*) Yes; but the mistake in calculation of his age was corrected and his age was found to be 43 years on 1st July, 1944.

(*h*) Does not arise in view of the reply to (*f*).

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether he received any application from *pundits*?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

Mr. LALIT CHANDRA DAS: Who are the experts who decided that a *pundit* without a title in Vedanta can be appointed for this purpose?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: An Expert Committee makes these appointments, these selections, but I have not got the information with me here to tell the hon'ble member who are the members who constitute that Committee. I want notice.

Mr. LALIT CHANDRA DAS: Arising out of (*g*). The candidate stated his age to be 38 years only when as a matter of fact it was found to be 43. Does it not show his inability to make a correct appreciation of his own age? Was it due because he was a philosopher?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That is a matter of opinion.

Mr. LALIT CHANDRA DAS: What is your opinion?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: My opinion is that there may be mistakes.

Mr. PRESIDENT: Questions over.

Points of information.

Mr. HARIDAS MAJUMDAR: Sir, I have a very urgent matter to mention. On the 29th of last month it has been reported that the entire stock of paddy of Sj. Dinanath De of village Nakipur, police-station Shyamnagar, was seized by the Subdivisional Officer of Satkhira with the help of the armed police and carried away in the boats of the Civil Supplies Department. I have given the above information which is contained in the *Amrita Bazar Patrika* published on the 5th instant. My attention was drawn to it yesterday. The paddy was seized and carried away like this in spite of the said Sj. Dinanath De holding proper licence. On protest being lodged by the Primary Congress Committee of Nakipur the Subdivisional Officer, it is said, bluntly replied that he must seize the paddy

and did not care whether any food for the local people was left there or not. It is a very serious matter, Sir. If these allegations are correct and if this is the procurement policy of Government that paddy will be seized with the help of armed police I am afraid it is a very serious matter. The other day the sergeants——.

Mr. PRESIDENT: Do you want further information on this subject of seizure of paddy or what is your point?

Mr. HARIDAS MAJUMDAR: I want to know, Sir, what steps Government propose to take in connection with such matters.

Mr. PRESIDENT: Hon'ble Mr. Mohammad Ali.

The Hon'ble Khan Bahalur MOHAMMED ALI: We are not aware of this incident and, if the facts are brought to my notice, I shall cause enquiries to be made in such cases. So I shall request the honourable member not to press this adjournment motion.

Mr. PRESIDENT: Mr. Haridas Majumdar has not moved any adjournment motion. He is only asking for information.

The Hon'ble Khan Bahadur MOHAMMED ALI: I cannot answer offhand what exactly is the position and what steps Government should take in the matter. If the facts of the case are given to me I shall enquire into the matter and report.

Mr. PRESIDENT: I would suggest to you, Mr. Majumdar, that you hand over the cutting from the newspaper referred to by you to the Hon'ble Minister.

Mr. HARIDAS MAJUMDAR: I can, Sir, if you so desire, put it in the form of a short-notice question in which case, I believe, the question of admissibility will not arise.

As regards the other matter, Sir, namely the highhanded action of the police sergeants towards the girls before the All-India Radio I think the Hon'ble Home Minister will make a statement today or tomorrow. May I know when he will make it?

The Hon'ble Khan Bahadur MOHAMMED ALI: I will make that statement tomorrow.

Mr. C. MORGAN: Mr. President, Sir, may I make a statement with your permission? Referring to yesterday's demonstration by jute mill workers outside this building I should like to make a suggestion to Government. In my opinion Government should notify that demonstrations of this sort cannot be tolerated preventing as they do hon'ble members carrying out their duties as members of this House. At the same time Government should state definitely that they are always ready to receive deputations from representatives of any organisation which may desire to draw Government's attention to their grievances.

Mr. LALIT CHANDRA DAS: Is it a question or what?

Mr. PRESIDENT: A copy of the statement just made by Mr. Morgan was supplied to me a few minutes before (handing over the paper to the Finance Minister). Will Mr. Mohammad Ali kindly look at it?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, this is a very helpful and constructive suggestion and will receive the most earnest consideration of Government.

Adjournment Motion.

Mr. LALIT CHANDRA DAS: May I mention one matter, Sir, regarding an incident that took place yesterday? I have an adjournment motion on it.

Mr. PRESIDENT: I am afraid no adjournment motion could be discussed today in view of the fact that an adjournment motion is already pending.

Mr. LALIT CHANDRA DAS: When are you taking it up, then? And then the question of urgency will be waived, I hope?

Mr. PRESIDENT: In fact I cannot consider this matter at all at this stage as long as one adjournment motion is on the agenda.

The Hon'ble Finance Minister may now continue his reply to the Budget debate.

Public Accounts Committee.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, before I begin, I would like to make a statement which I promised yesterday with regard to the representation of members of the Upper House on the Public Accounts Committee. I had a talk yesterday with the Leader of the Opposition of the Lower House and he informed me that he had no objection if two seats are given on this Committee to members of this House. As I said yesterday, so far as the implementation of this is concerned it now lies in the hands of the Hon'ble Mr. President and the Hon'ble Mr. Speaker. It is proposed that a conference will be held between the two presiding officers to decide upon the manner in which this can be implemented. So that disposes of the question regarding the Public Accounts Committee.

General Discussion of the Budget.

The Hon'ble Khan Bahadur MOHAMMED ALI: I will now take up my reply to the Budget discussion. Mr. President, Sir, I thank you for giving me this opportunity of concluding my reply to the criticisms on my Budget. I shall take up the thread where I left it yesterday. I was talking on the question regarding the proposed air-conditioning in the Bengal Secretariat. I had stated yesterday that when we took up office we found that the project regarding air-conditioning had already been taken up, since it was then the section 93 regime. Of course we had the option of refusing the project but if we did exercise that option then we would have to pay heavy compensation to the firm with which the orders had already been placed. The firm had already indented for machinery from England and if at that moment we withdrew the contract then we would have been called upon to pay a heavy amount almost amounting to a lakh of rupees. In these circumstances we felt that it would not be desirable to pay that damage; at the same time there was another consideration which weighed with us heavily in deciding us to go ahead with the project, and the consideration was this. The Secretariat was already over-crowded; the departments were expanding but we could not accommodate officers that were now necessary to launch our development programmes. Therefore we felt that if we introduced this air-conditioning system we would be able to accommodate more officers than it would have been otherwise possible for us to accommodate, as it would double the accommodation. That was one main reason which made us decide in favour of going on with this project, of course bearing in mind the fact that if we did not continue the project then we would have to pay a damage of a lakh of rupees.

Khan Sahib WAHIDUZZAMAN: On a point of information, Sir. May I know the name of the firm with whom the orders were placed? I understand it was a Marwari firm.

The Hon'ble Khan Bahadur MOHAMMED ALI: I cannot say that offhand. But when I obtain that information I can give the information to the hon'ble member personally or to the House. This will then explain to the House the circumstances under which we felt justified in going on with the project.

When I was dealing with Mr. Morgan's issues yesterday I omitted to refer to his very valuable and constructive suggestion regarding the overhauling of certain departments and the exploration of all avenues of reducing expenditure. Sir, this is a very valuable and important point which he has placed before the House. Government feel the necessity of overhauling some of the departments and also that avoidable expenditure should be avoided and that we should curtail our expenditure as much as possible.

Then, Sir, I come to Mr. Hamidul Huq Chowdhury. As he was not present yesterday I skipped over the points raised by him. As I find him here today I shall deal with the points raised by him. He said that the Budget was prepared in section 93 regime but if we wanted time to incorporate our own programme and outlined our schemes we could have taken time to do so. But the honourable member should realise that the financial year had already commenced and it was necessary that we should have the sanction of the Legislature as early as possible for the expenditure. If we had delayed over the matter we would have been liable to the charge that we are incurring expenditure without the sanction of the Legislature. Therefore it was imperatively necessary for us to obtain that sanction of the Legislature as early as possible to the expenditure which we propose to incur. So he should realise the difficulties with which we were faced. If we had delayed in the matter then the honourable members would have accused us of delay in presenting the Budget. That was the reason why we had to come forward in a hurry with the budget proposals. Of course we had to take a couple of months because we were not absolutely satisfied with regard to some of the items and we did not want to put our rubber stamp or *dhobi* mark to the proposals that were incorporated in the Governor's Budget. As I have said at the outset, we have incorporated a lot of changes in the Budget that was presented before this House.

Mr. Hamidul Huq Chowdhury spoke of the inequitable award of the Central Government. I have already touched on the subject and mentioned about the inequity on the Meston and Neimeyer Awards and I need not go into it again. I quite agree with him that there should be readjustment of the financial relationship between the province and the Centre. Even during the interim period there should be some readjustment and the Government of India should consider whether the present system of allocation is right or not. It is understood that for the purpose of effecting a readjustment of the award they are sending officers to Australia for studying the system prevailing there. As a matter of fact we are advocating the system of allocation that is in vogue in the Australian Government, because that would be more equitable for this province. Therefore we are proposing to re-examine the question of allocation of revenues to the various provinces. We feel that injustice has been done to Bengal in this matter. If we are successful in revising the allocation I think our resources will be further augmented and we are entitled to this assistance from the Centre.

So far as the question of relief and rehabilitation is concerned he has made some comments regarding the top-heavy administration in this department and regarding small allocation for giving actual relief to the people. He was, Sir, entirely wrong when he said that out of a grant of Rs. 290 lakhs Rs. 240 lakhs has been provided for officers' pay and only Rs. 60 lakhs for rehabilitation work. Sir, his mathematics are based on a wrong calculation. I may inform him that there is a provision of Rs. 290 lakhs for this department and it is not correct to say that out of this Rs. 240 lakhs

has been earmarked for the establishment and salaries of officers. The real position is that out of the total provision of Rs. 290 lakhs, provision for salaries and establishment amounts to Rs. 52 lakhs only and the entire balance is for relief and rehabilitation work. So he has erred when he has made this erroneous charge against the Government.

He has dwelt on the Damodar Canal project and said that it is a losing concern so far as this Government is concerned. But the original estimate of the capital outlay on the Damodar Canal project was Rs. 76,10,397. The actual capital charge on completion of the work was Rs. 1,73,38,960. We had to take some finances from the Government of India. There were some outstanding payments from the provincial revenues to the Central Government. But some sort of adjustments were made and the Government of India wiped out our obligation to them. So, the entire amount was not spent from the provincial revenues but Rs. 4;52 thousand which was roughly 6 per cent. of the original estimated outlay of Rs. 76,10,397. The actual net revenue in 1944-45 stood as follows:—

		Rs.
Gross revenue	...	5,48,945
Working expenses	...	2,62,053
Net revenue	...	2,86,892

Now, actually there is no loss to the Government for this project but if we take for granted that we got assistance from the Government of India and our capital outlay was Rs. 1,73,38,960 then our return is only 2·2 per cent. on the capital outlay. It is not up to our expectation. People in that area are getting benefit out of this scheme and the whole province is enjoying the benefit in view of the fact that the total food production has also increased due to this scheme. Therefore we need not quibble over the matter any further.

Mr. Hamidul Huq Chowdhury has also referred to cinchona cultivation by the Government. Now, Sir, everybody knows that Government only supply quinine and cinchona not with a view to make any profit out of it but to help the people. They do not run it on a commercial basis. We want to sell to the public quinine at as low a price as possible to minimise the suffering of the poor people who are attacked with malaria.

About the abolition of rent-receiving interest, I think I have made that point absolutely clear already.

About the introduction of cottage industries in the province, Government have under examination a very big and comprehensive scheme for promotion of cottage industries in the province. From that scheme it will appear that Government are also going to start cottage industries on a large scale.

Mr. Lalit Chandra Das referred to hospital facilities, specially in the rural areas. If Mr. Das had examined the Budget proposals, he would have found that we have allotted huge amounts for hospital facilities specially in the rural areas. During the famine emergency Government established some emergency hospitals called F. R. E. hospitals and these hospitals have done very good work. These hospitals catered to the needs of the undernourished and half-starved people. We have on record that these hospitals have rendered incalculable service to the people. Now, we want to change these F. R. E. hospitals to A. G. hospitals. We wish to distribute those beds all over the province. It was primarily intended to cater to the needs of the sick destitutes. Therefore it was started in a hurry without due regard to the necessity of other areas where there was no distress. All the hospitals in many districts were concentrated in areas where distress was felt but in our reorganised scheme which is a part of

the development programme we have decided that these Famine Relief Emergency (F.R.E.) Hospitals after their conversion into Auxiliary Government Hospitals (A.G.H.) will be distributed on a more or less uniform basis throughout the province. The two criteria governing the location of these hospitals will be (1) the population of each district, and (2) the mortality figures for each district. Taking these two criteria into consideration we will redistribute these hospitals so that the needs and wants of the people of this province will be uniformly met by a uniform and more equitable distribution of the hospitals. There was no provision for any hospital facilities in the past and therefore this scheme I should think should be considered by the people of Bengal as a really good nation-building one and such being the provision made I am surprised that Mr. Das felt that no adequate provision had been made for giving hospital facilities to the poor people in rural areas. I think we have made a very good beginning. Of course, we do not say that this is sufficient and adequate for the purpose. We feel there is need for giving greater facilities but the members will kindly realize that this is the first year when we have commenced our nation-building activities in real and right earnest. Other schemes will be coming up to supplement this scheme. But this scheme is the foundation on which other schemes will be built and we propose that when we take up other schemes they will be drawn up in such a manner that they will not only fit in with the present scheme but will be an improvement and enlargement upon it so that we may have one big comprehensive scheme covering all branches of nation-building activities. In this connection I would like to say that in our present Budget we have a provision of 2 crores 10 lakhs for giving medical facilities to the people of the rural areas and the honourable Mr. Lalit Chandra Das especially will realize that for the present it is quite considerable.

Then I come to Miss Robertson's remarks. I congratulate her on the very nice and neat maiden speech she made. She gave us very concrete and constructive suggestions. We really appreciate the suggestions that have come from her and I think that they all deserve very serious consideration of Government. Actually in this province the hospitals are starved for want of an adequate number of properly qualified nurses. In the Calcutta Medical College Hospitals we are going to have a new Children's Ward. The ward is ready but for want of nurses they cannot yet open the ward. We propose to arrange for the ward to be opened from the 15th of this month. For paucity of nurses we could not open this ward earlier. In the Eden Hospital, members will be surprised to learn that there are not sufficient nurses there, not even at the rate of one to attend to 15 to 20 patients. There is in existence a Nursing Council and there is also the Calcutta Hospital Nurses' Institution by which we have dual control over the nurses in Calcutta. Government does not exercise full control over the nurses that are supplied to the hospitals. The control vests actually in that institution. It is a statutory body. I have tried and I am still trying to devise some means by which we can exercise proper and more efficient control over the nurses in these hospitals. Of course we recognise the very good work that is being done by the Institute. We shall welcome that co-operation and hope that we will be getting that co-operation also in future. We too on our part want to co-operate in this matter with the relevant bodies. We want hospitals not only in Calcutta but all over the province to be supplied with a sufficient number of nurses. At present the standard of teaching is so high that Bengali girls cannot take up the profession of nursing because the standard of teaching which has been laid down as eligibility for entrance to this profession is so high that we do not get a sufficient number of candidates or apprentices. I am proposing to revise the curricula in such a way that this teaching may be imparted to our girls in the language in which they are efficient, namely, in their own vernaculars. If we do away with this system of teaching in the English

language then I am sure we will be getting a good supply of nurses. The prospects of nurses, as pointed out by Miss Robertson, are poor. Nursing is a noble profession and we must appreciate that and we must adequately compensate for the labours of nurses in giving relief to suffering humanity and I think we must also revise the present rates of emoluments for them so that in future we may be able to attract a good number of nurses and nurses of a good type who will be imbued with a real feeling of service to the suffering humanity. Therefore, I think Miss Robertson's suggestion to be very valuable and worthy of consideration.

She has also referred to the Tuberculosis Hospitals. No one denies the fact that in this province there is a crying need for more hospitals for tubercular patients. Unfortunately it is a sad commentary on the administration of Bengal that we have not had for so long even a single Government institution to cater to the needs of tubercular patients—no, not a single Government hospital treating tuberculosis. But we must say that we have made a good beginning. We are now going to give sufficient and adequate financial assistance to all tubercular hospitals in the province. As I said yesterday, we also propose to start a Tuberculosis Hospital in Dacca so that the needs of Eastern Bengal may be met. The institution at Amulia may not be able to meet the needs of the entire province and in a very short time we are going to take up a project by which we will be able to establish a Tuberculosis Hospital at Dacca. We have another scheme for chest clinics which will be attached to all the district and subdivisional hospitals in the province. A big merchant and philanthropist has promised to contribute towards the capital cost of the scheme and when actually the scheme materialises we hope that in every hospital in the sadar headquarters and in every subdivisional hospital we shall have a sort of T. B. clinics which will be in the nature of an annexé to the existing sadar and subdivisional hospitals. In this way we hope to meet the real crying need of the province in this matter.

I now come again to Dr. Roy. I thank him for the very valuable suggestion that he made and I shall welcome the proposal which he said yesterday that he would submit to us for the establishment of a permanent college within the expenditure which we have outlined for our temporary medical college at the Lakes. As soon as his scheme is received it will be very carefully considered and if it is practicable and feasible we shall be certainly happy and very glad to establish the college and hospital on a permanent footing. I must at the same time point out a slight inconsistency in the contention of Dr. Roy. Unfortunately he is not here today. I told him about this inconsistency and he said that he thought that perhaps this would escape my notice and also the notice of the honourable members of this House. On the one hand he proposed the retention of certain medical schools while on the other he wanted the upgrading of certain medical schools to the standard of a college. He wanted to have established special hospitals for the metropolis of Calcutta whereas we wanted to have some cheap doctors in rural areas. Upon this question he found fault with us saying that we considered that the lives of the people in the rural areas were perhaps considered cheap by the Government. That is not at all true. Government do not at all take that view. On the contrary I am prepared to go further, and say that the lives of the people in the rural areas are certainly more valuable than those of towns, because they are the real people who are keeping the province alive, they are giving us food on which we live and thrive, they are giving us wealth. Therefore I say that the life of the rural people is more valuable than the people of the cities. It is not for that reason that we propose to retain for a certain period the medical schools in the rural areas. It is not for the reason that we want for rural areas cheap doctors, that is not correct. The position is that we cannot upgrade all the medical schools to the college standard all at once.

We propose to upgrade them gradually as early as possible. The analogy of nurses has been introduced in the argument. Dr. Roy said that the quantity of nurses should be increased because there is great dearth of nurses. But this analogy cannot be applied in respect of doctors. The Bhore Committee has dealt with this subject and said that there is a great dearth of doctors in this province; we need more doctors and we need them urgently. Therefore we cannot upgrade the institutions immediately because that will retard the outturn of doctors. The people of Bengal cannot have higher medical education and more cheap education all at once. So we must keep the present medical schools for some time longer so that it will be within the means of the poor people of the province to have medical education. We want a good "quantity" of doctors and we will also have good-quality doctors, but afterwards.

Now, Sir, I think I have dealt with all the main points that were raised by the honourable members in this House. There may be one or two points of minor or local interest to which I have made no reply. But honourable members will realise that it is not possible to speak on every point raised by honourable members in course of discussion. I have omitted of course one point raised by Rai Bahadur Dhirendra Lal Barua with regard to the provision for secular education of the Buddhist children. That will receive our sincere consideration. I promise that the claims of that community will receive careful consideration.

Then, Sir, Mr. Azizul Haque struck a nice and pleasant note when he appealed for the co-operation of all sections of the House. I also re-echo that appeal and ask for the co-operation of all sections of the House, and not only all sections of the House, but all sections of the people. Sir, we are launching a very big comprehensive programme connected with the well-being of the people of the province. It is a matter of national reconstruction, it is a matter which should be kept outside the pale of party politics. This is a matter in which people of all communities, creeds or nations, irrespective of their political views should come forward and help the Government—not only help the Government but—help the people of the province in trying to better the lot of the poorer people of this province. I hope, Sir, that my appeal will not go in vain and will not be condemned. In the matter of national reconstruction I hope every one in this province will come forward and put his shoulder to the wheel so that we can march ahead—so that we may not be left behind the other provinces which are progressing towards their uplift. With these remarks I hope that members will give me the co-operation which I most earnestly beg of them.

Circulation of Council Papers to the members.

Mr. LALIT CHANDRA DAS: On a point of information, Sir. Now that the postal strike is over and the postal peons have resumed work, our notices will perhaps be sent by post as before. But may I suggest that the present system of distributing our notices by office peons which is working very well may be continued. The practice of sending notices by post is dilatory and we receive them very late.

Mr. PRESIDENT: Mr. Das, will you kindly come to my chamber after the meeting and discuss the matter with me.

Now, I pass on to the next item on the Agenda which is introduction of the Bengal Undesirable Advertisement Control Bill. We have received no notice from the Hon'ble Minister regarding this Bill and the Bill has not been published in the *Calcutta Gazette*. So this cannot be taken up.

OFFICIAL BILLS.

Bengal Local Self-Government Association (Recognition) Amendment Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I beg to introduce the Bengal Local Self-Government Association (Recognition) Amendment Bill, 1946. I also give notice that during the current session of the Council I shall move that the Bill as settled in the Council be passed. I request you to permit me to move this at short notice.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, so far as this Bill is concerned, this has been printed but not published. We have not received any copy of this Bill.

The Hon'ble Khan Bahadur MOHAMMED ALI: As is usual this Bill was printed in the Gazette.

Mr. PRESIDENT: The point is this that the Bill might have been printed in the Gazette but it has not reached the hands of the hon'ble members.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, the essential requirement is that the Bill should be published in the Gazette but whether it is to reach the hands of the honourable members, that is not guaranteed by the Rules.

Mr. PRESIDENT: I admit that the Bill has been printed but it has not been published. Unless it reaches at least some of the honourable members you cannot contend that the Bill has been actually published. You know there was the postal strike and I do not think that any of the honourable members has got a copy of the Bill. So, how can you say that the Bill has been published?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I bow to your decision but I would submit that the Bill was not only printed but was published and therefore it has met the requirement under the Rules. There is no such requirement that the Bills should also reach the members.

Mr. PRESIDENT: Government know it very well that the situation was an unprecedented one and it must be admitted that the technical compliance with the provisions of the Act or the Rules does not fulfil the real object of the Act or Rules. I am almost certain that no member of this House has received a single copy of the *Calcutta Gazette* within the last 3 weeks.

The Hon'ble Khan Bahadur MOHAMMED ALI: But, Sir——

Mr. HUMAYUN KABIR: On a point of privilege, Sir. I think it is the convention that when the Hon'ble President speaks no other member speaks. At least this is the convention in this House. Now the Hon'ble Minister was interrupting you a moment ago and not only that, even now while you are on your legs he is trying to establish whether the Bill has been published or not. This sort of conduct, we do not expect from any Hon'ble Minister.

Mr. PRESIDENT: I hope he understands it now. However, Mr. Mohammed Ali, I would suggest that you hold back this Bill in view of the objection taken by Mr. Hamidul Huq Chowdhury.

I am told by the Secretary just now that copies of the Bengal Local Self-Government Association (Recognition) Amendment Bill are being distributed to the members. I think that removes the objection to introduction of the Bill. Yes, Mr. Mohammad Ali.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I introduce the Bengal Local Self-Government Association (Recognition) Amendment Bill, 1946. I also give notice that during this session of the Council I shall move for consideration and also move that the Bill as settled in the Council be passed. I hope, Sir, you will permit me to move the motion at short notice.

Secretary then read the short-title of the Bill.

Mr. PRESIDENT: The Bill is introduced.

The Hon'ble Khan Bahadur MOHAMMED ALI: Copies of all the remaining Bills are also being circulated and so, Sir, I shall introduce the other Bills.

The Cattle Trespass (Bengal Amendment) Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: I beg to introduce the Cattle Trespass (Bengal Amendment) Bill, 1946. I also give notice that I shall move during the current session of the Council that the Bill be taken into consideration and that the Bill as settled in the Council be passed. I request you, Sir, to permit me to make the motion at short notice.

Secretary then read the short title of the Bill.

Mr. PRESIDENT: The Bill is introduced.

The Bengal Dentists (Amendment) Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I beg to introduce the Bengal Dentists (Amendment) Bill, 1946. I also give notice that I shall move during the current session of the Council that the Bill be taken into consideration and that the Bill as settled in the Council be passed. I request you, Sir, to permit me to make the motion at short notice.

Secretary then read the short title of the Bill.

Mr. PRESIDENT: The Bill is introduced.

The Calcutta Rent Bill, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Calcutta Rent Bill, 1946, be referred to a Select Committee consisting of—

(1) Mr. Nur Ahmed,
(2) Mr. Moazzem Ali Choudhury,
(3) Mr. Haji Md. Yusuf,
(4) Mr. Mohammad Toufiq,
(5) Mrs. Labanyaprobha Dutt,
(6) Mr. Lalit Chandra Das
(7) Mr. Bejoy Singh Nahar,
(8) Mr. Syed Badrudduja,
(9) Mr. Haridas Majumdar,
(10) Mr. Charles Edward Clarke, and
(11) the mover,

with instructions to submit their report by the 14th August 1946 and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

Sir, the object of this Bill is really to provide certain protection to the people who live in hired houses in Calcutta. These provisions were made, or rather these protections were given to them by rules under an Ordinance but as the term of these rules is going to expire by the 30th of September it has become absolutely necessary to enact legislation for the purpose of giving some protection to the tenants of Calcutta and other

urban areas. So, Sir, it is nothing new. Practically the provisions which are in vogue by virtue of an Ordinance are repeated in this Bill and I have just now moved for committal of this Bill to a Select Committee where every provision may be considered carefully and necessary amendments made. A report will be submitted which the House may be pleased to consider in due course. There is nothing else of importance which I should mention at this stage. With these words, Sir, I commend my motion for reference to a Select Committee.

Mr. PRESIDENT: Motion moved that the Calcutta Rent Bill, 1946, be referred to a Select Committee consisting of—

(1) Mr. Nur Ahmed,
(2) Mr. Moazzem Ali Chowdhury,
(3) Mr. Haji Md. Yusuf,
(4) Mr. Mohammed Taufiq,
(5) Mrs. Labanyaprabha Dutt,
(6) Mr. Lalit Chandra Das,
(7) Mr. Bejoy Singh Nahar,
(8) Mr. Syed Badrudujja,
(9) Mr. Haridas Majumdar,
(10) Mr. Charles Edward Clarke, and
(11) the mover.

with instructions to submit their report by the 14th August, 1946, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

There is only one amendment on the paper. Mr. Majumdar.

Mr. HARIDAS MAJUMDAR: Sir, before moving my motion I may request the Hon'ble Minister in charge of the Bill to state if in the Select Committee he will sympathetically consider all points of view, and if a statement of this nature is forthcoming from him, then I may not move my amendment.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I am not the only member on the Select Committee who will decide the matter. Certainly Government will sympathetically consider all the suggestions that will be made in the Committee as suggested.

Mr. PRESIDENT: Mr. Majumdar, what is your proposal? You are not moving your amendment?

Mr. HARIDAS MAJUMDAR: If Government make a statement that they will sympathetically consider all matters in connection with the Bill in the Select Committee, a very practical suggestion, then I need not move this amendment.

Mr. PRESIDENT: The position is that you either move the amendment or do not move the amendment. If after moving the amendment you wish to withdraw it, then with the permission of the House you can do so.

Mr. HARIDAS MAJUMDAR: I desire to move my amendment and if the Hon'ble Minister makes a statement that he will sympathetically consider all points of view then instead of asking for circulation of the Bill I shall be prepared, with the leave of the House, to withdraw my motion.

Mr. PRESIDENT: But have you moved your motion?

Mr. HARIDAS MAJUMDAR: No, Sir.

Mr. PRESIDENT: Please do so, then.

Mr. HARIDAS MAJUMDAR: All right. I beg to move that the Calcutta Rent Bill, 1946, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1946.

I do not make any speech on this, Sir, but as I have said if the Hon'ble Minister gives me the assurance that I have asked for, then I shall withdraw my motion with the leave of the House

Mr. PRESIDENT: Motion moved that the Calcutta Rent Bill, 1946, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I may assure the honourable member that the Government will certainly consider all the suggestions that may be brought forward in the Select Committee and give them sympathetic consideration. I would, therefore, ask the hon'ble member to withdraw his amendment on this assurance.

Mr. HARIDAS MAJUMDAR: In view of this assurance I beg to withdraw my motion with the leave of the House.

Mr. PRESIDENT: Is it the pleasure of the House to grant leave to Mr. Haridas Majumdar to withdraw his amendment?

(Cries of "Yes, Yes".)

The amendment was then by leave of the House withdrawn.

Mr. PRESIDENT: If any one wants to speak on the principle of the Bill he may do so now.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, it is a natural consequence of the emergency measure, namely, the House Rent Control Order which has been declared under section 102 of the Government of India Act, 1935. The principal point I want to deal with is this: the real trouble of the citizens of Calcutta and of the mofussil towns cannot be resolved by simply passing a legislation of this nature. Sir, there is very serious house shortage in the city and in the mofussil and unless an earnest effort is made by the Government to improve the housing condition and remove the house shortage position, the consequence will be that the ways and means of evading the provisions of the law by the landlords will be many. As a matter of fact, both in this city and in other places various methods have been evolved by which landlords are escaping the provisions of the control. First of all the real bottle-neck which exists in the expansion of the building of houses in the cities is that the supply of the building materials is inadequate. The Government may not be able to solve this difficulty immediately, but whatever materials are available should be distributed equitably and no short-sighted policy should be followed of having the work done in the old Improvement Trust system which is an archaic system and working of which is greatly responsible for the want of progress in the city of Calcutta. This Improvement Trust is going on on the principle that the capitalists and the business community should thrive in the city. It is not working properly for the poorer section of the population. Improvement Trust has become a commercial institution and doing business in the town for the benefit of the highest bidders, namely, the richer section of the population who can spend. There is no activity on the part of the Trust so far as the poorer people of the city are concerned; in their scheme the poorer section has no place as if they will have no place in the city, and the developed areas of the city are passing into the hands of the millionaires coming from western India. Secondly, so far as the Bengal Government are concerned with regard to the development

of the mofussil, there is one serious lacuna in the activities of the Government. Unless we have a workable plan like that working in the United Provinces and some other provinces we cannot develop the mofussil areas and build our modern towns in order to remove the difficulties of the people residing in the mofussil. In this connection I may mention that the faulty policy of fixing the headquarters of the district is sometimes responsible for food shortage. I may cite one example—the headquarters town of Noakhali. For the last 25 years different Governments, coming in and going out, could not come to a decision as regards finally deciding the place for its headquarters. Due to pressure brought in from interested quarters Government acquired a strip of land in Begumganj and at present we understand that this piece of land has its fault and probably Government will be in favour of selling the land. I think there is an attempt to change that again. The result will be that in 10 or 15 years time there will be no headquarters and no administrative centre. That will create a very difficult situation for the residents of the town who are leaving the headquarters. I would appeal to the Government to see that an immediate settlement is arrived at with regard to the headquarters of Noakhali.

The Hon'ble Minister a few minutes ago has given the House a wrong picture in reply to the criticism that was made against the Budget. In this way the Hon'ble Ministers have deluded themselves as well the House. Look at the Irrigation Budget. I have plainly told the Hon'ble Minister through you, Sir, that the Government's commitments for West Bengal irrigation is Rs. 5 crores and he has deliberately mentioned the Damodar scheme and said that the expenditure is 1 crore and odd lakhs and that Government have 2½ *per cent.* profit. If you look at page 23 of the Budget you will find the figures given by the Department and there it is said that the administration alone costs about 13 lakhs. And Mr. Mohammed Ali says 2½ *per cent.* profit is being derived from the Damodar scheme.

Mr. PRESIDENT: Order, order. The question before the House is: That the Calcutta Rent Bill, 1946, be referred to a Select Committee consisting of—

(1) Mr. Nur Ahmed,
(2) Mr. Moazzemali Chowdhury,
(3) Mr. Haji Md. Yusuf,
(4) Mr. Mohammad Taufiq,
(5) Mrs. Labanyaprobha Dutt,
(6) Mr. Lalit Chandra Das,
(7) Mr. Bejoy Singh Nahar,
(8) Mr. Syed Badrudduja,
(9) Mr. Haridas Mazumdar,
(10) Mr. Charles Edward Clarke, and
(11) the mover,

with instructions to submit their report by the 14th August, 1946, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The motion was put and agreed to.

The Bengal Special Tribunal (Continuance) Bill, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Bengal Special Tribunal (Continuance) Bill, 1946, be taken into consideration.

Sir, this is a very simple Bill and it has been enacted only for continuing the tribunals which are now trying certain cases at the instance of the Government of India. Automatically the term of the tribunals will come to an end on the 30th September this year; because the Ordinances by which these tribunals were established will cease to have effect on and from the 1st October, 1946. As an emergency case the Government of India had powers under section 102 of the Government of India Act, 1935, to make provisions for tribunals of this nature but when the emergency is not there it is doubted whether these tribunals can continue to function legally. So in order to set the matter at rest it has been considered necessary that a legislative enactment be made, for legalising the continuance of these courts. With this end in view this Bill has been brought to the Council and it only provides that those tribunals which are now trying the cases should continue to function until they dispose of the cases before them.

With these words I move that the Bill be taken into consideration.

Mr. PRESIDENT: Motion moved: that the Bengal Special Tribunal (Continuance) Bill, 1946, be taken into consideration.

There is one amendment to this Bill by Mr. Abdul Hamid Chowdhury but that amendment is out of order in view of the fact that he did not propose the inclusion in the Select Committee of the Minister in charge of the Department as it is provided for by rule 56(2) of the Bengal Legislative Council Procedure Rules.

Now if anybody wants to speak on the principle of the Bill he can do so.

The Hon'ble Khan Bahadur MOHAMMED ALI: On a point of explanation, Sir. In the course of his observations on the Budget Mr. Hamidul Huq Chowdhury referred to the Damodar Canal Project and said that the Government of Bengal spent about 7 crores on this project which is not a fact. I have here got a copy of the proceedings in which he has said so but that is not a fact.

Mr. LALIT CHANDRA DAS: On a point of order, Sir. When the Budget debate is over long ago can the Budget be debated upon again?

Mr. PRESIDENT: Order, order. The question before the House is that the Bengal Special Tribunal (Continuance) Bill, 1946, be taken into consideration.

The motion was put and agreed to.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I understand, Sir, that Mr. Morgan will not move his amendment.

Mr. PRESIDENT: His amendment relates to clause 1. We have not come to that stage yet.

Now the House will take the consideration of the Bill clause by clause.

Clause 1 stand part of the Bill. Mr. Morgan, are you moving your amendment?

Mr. G. MORGAN: I shall not move my amendment, Sir.

Mr. PRESIDENT: The question before the House is that clause 1 stand part of the Bill.

The question was put and agreed to.

Mr. PRESIDENT: The question before the House is that clause 2 stand part of the Bill.

The question was put and agreed to.

Mr. PRESIDENT: The question before the House is that clause 3 stand part of the Bill.

The question was put and agreed to.

Mr. PRESIDENT: The question before the House is that the Title and Preamble be added to the Bill.

The question was put and agreed to.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Bill as settled in the Council be passed.

Mr. PRESIDENT: The question before the House is that the Bengal Special Tribunal (Continuance) Bill, 1946, as settled in the Council be passed.

The question was put and agreed to.

The Hon'ble Khan Bahadur MOHAMMED ALI: On a matter of personal explanation, Sir. Mr. Hamidul Huq Chowdhury just now stated that I tried to mislead the House and said that the Damodar Canal Project was being run at a loss. I actually meant not only the Damodar Canal Project but other projects taken together. I have the proceedings of this House of that day before me in which I find that Mr. Hamidul Huq Chowdhury stated that the Government of Bengal expend about 7 crores on the Damodar Canal project and they are all being run at a great loss. And on the basis of this statement Mr. Hamidul Huq Chowdhury has found fault with us, and said that I tried to mislead the House, whereas the fact is that we are getting a return of 2·2 *per cent.*

Mr. HAMIDUL HUQ CHOWDHURY: I owe an explanation to the House and to the Hon'ble Minister. If the Hon'ble Minister reads the proceedings independently of the previous sentence then he is perhaps justified. But if he refers to the previous sentence he will find that it clearly shows that Government's irrigation projects, the Damodar Canal project and other projects, are being run at a loss, and then I mentioned the total cost of irrigation at 7 crores and my friend knows this very well. He wanted to explain away Government's inactivity and incompetency in this matter in this way——

Mr. PRESIDENT: Order, order. There should not be any debate on points of personal explanation.

The House now stands adjourned till 1-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-15 p.m. on Thursday, the 8th August, 1946.

Members absent.

The following members were absent from the meeting held on the 7-8-46:—

(1) Mr. Abdulla-al-Mahmud,
(2) Mr. L. P. S. Bourne,
(3) Mr. Yusuf Ali Chowdhury,
(4) Mr. Kamini Kumar Dutta,
(5) Khan Bahadur Sk. Fazal Ellahi,
(6) The Hon'ble Khan Bahadur Abdul Gofran,
(7) Maulana Md. Akrum Khan,
(8) Mr. Syed Abdul Majid,
(9) Mr. Nagendra Nath Mahalanobish,
(10) Mr. Birendra Kishore Roy Chowdhury, and
(11) Mr. F. C. J. Steuart.

BGP-46/7-8025A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946 No. 11.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 8th August, 1946, at 1-15 p.m., being the eleventh day of the First Session of 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

Excavation of a ship canal from Kidderpore to Diamond Harbour.

58. Mr. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state whether it is a fact that the Government of Bengal are contemplating to cut a ship canal from Kidderpore to Diamond Harbour? If so, what would be its length and what would be its breadth?

(b) Is it a fact that in the plan it cuts through rich rice-growing tracts of land of many villages within 24-Parganas? How many villages and how many acres of land would be affected by the scheme? What would be the approximate populations of those villages?

(c) Are the Government aware that there is strong and widespread apprehension in the public mind that this scheme, if carried out, will do more harm than good?

(d) Do the Government propose to consider the desirability of dropping the said scheme?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Department of Commerce, Labour and Industries): (a) The Calcutta Port Commissioners have under consideration a proposal to construct a ship canal from the head of the existing Docks to Diamond Harbour. If the ship canal is constructed, its length will necessarily be about 25 miles. Its breadth has not yet been finally settled.

(b) Plans have not been completed and until they are, it will be impossible to say what land will actually be needed and how many people will be required to vacate their present residences.

(c) Yes, and Government issued a Press Note on the subject on the 4th June, 1946.

(d) Even if the Port Commissioners decide in favour of the proposal, they will not be able to begin construction until they receive the sanction of the Government of India. The Port Commissioners, it is understood, will give the Bengal Government full particulars of any scheme which they adopt, and every aspect can then be reviewed by Government

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state when the Port Commissioners will give the Government of Bengal full particulars of the scheme? Will the Government of Bengal be pleased to take public opinion on it?

The Hon'ble Khan Bahadur MOHAMMED ALI: The Government of Bengal will take into consideration any opinion that may be expressed.

Mr. LALIT CHANDRA DAS: Will Government invite public opinion?

The Hon'ble Khan Bahadur MOHAMMED ALI: I cannot say off-hand. But if it is expedient it will certainly take into consideration any public opinions that it will receive.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state if the Port Commissioners have already placed before the Government of Bengal particulars about the plan which they want to carry out?

The Hon'ble Khan Bahadur MOHAMMED ALI: No, Sir, they have not submitted any plan. I believe the idea about the present notification issued by the Port Commissioners is to freeze the land so that there will not be any speculation and the land will not go up in value. But Government are not aware of any scheme of this subject.

Mr. HUMAYUN KABIR: Is it not necessary for the Government of Bengal to examine the scheme before the proposal of the Port Commissioners is finalised, because otherwise it would be too late for Government to intervene.

The Hon'ble Khan Bahadur MOHAMMED ALI: No, Sir. It will not be too late because before they finally settle the scheme they will inform the Government of Bengal and the Government of Bengal will have a voice in the matter. The scheme of the Port Commissioners is not yet finalised and is not ready. As soon as it is ready the Government of Bengal will be consulted and not only the Government of Bengal but the Government of India also.

Mr. HUMAYUN KABIR: Is it not desirable that the Government of Bengal should be aware of the plan before it is finalised.

Mr. PRESID9NT: I think he has answered that question.

Mr. HUMAYUN KABIR: No, Sir. My question is:—Does he not consider it necessary that the Government of Bengal should be apprised of the schemes of the Port Commissioners before it is finalised.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, the scheme has not been finalised and, as I have already said, before it is finalised, this Government will be consulted. It is only preliminary steps that the Port Commissioners have taken so that the valuation of the land does not go up and the only intention of the Port Commissioners at this stage is to freeze the land.

Mr. HUMAYUN KABIR: As you will have seen, Sir, it is entirely a different answer. My question is—Does not the Hon'ble Minister consider it necessary that the Government of Bengal should know something of the scheme before it is finalised? It is quite clear from his statement that the scheme has not yet been finalised.

The Hon'ble Khan Bahadur MOHAMMED ALI: Yes, Sir. The scheme is now in an embryonic stage and as soon as it takes a definite shape I shall inform the honourable members about the details.

Mr. LALIT CHANDRA DAS: The Hon'ble Minister says that the scheme is now in an embryonic stage but do not the Government know how many villages and how many acres of land would be affected by this scheme?

The Hon'ble Khan Bahadur MOHAMMED ALI: No. Sir.

Mr. LALIT CHANDRA DAS: In view of the fact that Government issued a press-note on the 4th June 1946 regarding the scheme, did not the Government consider it necessary to ascertain how many villages and how many acres of land producing rice would be affected by this scheme?

The Hon'ble Khan Bahadur MOHAMMED ALI: Government did make a reference but Government realise that it was not possible for the Port Commissioners to give the exact details with regard to the project.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister remember one fact while examining the plan when the project will come to them that this canal would cover a very rich rice growing area?

The Hon'ble Khan Bahadur MOHAMMED ALI: Government will take that matter into consideration. Government are aware of the agitation against the project and Government know the implication of the project that it would take away a considerable area of land from the cultivation of foodgrains.

Mr. BIREN ROY: Is it not a fact that a notification appeared in the *Calcutta Gazette* under section 4 of the Bengal Local Self-Government Act that 18,000 acres of land would be needed for this canal?

The Hon'ble Khan Bahadur MOHAMMED ALI: I am not aware of it.

Mr. PRESIDENT: Mr. Roy, you are supplying information rather than asking for information.

Mr. BIREN ROY: The Hon'ble Minister says that the plan is in its embryonic stage; so he does not know how many plots have been selected, how much of the area would be affected and so on and so forth But in that notification the different plots were given in the plan and those plans are available for inspection also in the office of the 24-Parganas Land Acquisition Collector.

The Hon'ble Khan Bahadur MOHAMMED ALI: The idea of the notification now is to freeze the lands, but it may be that all the plots will not be necessary for the project.

Mr. HUMAYUN KABIR: Sir, it is our experience that very often difficulty arises because when one particular Hon'ble Minister is absent some other Hon'ble Minister tries to answer for him and we cannot expect the Hon'ble Minister who replies for the absentee to be well conversant with the question. In the present case the Hon'ble the Finance Minister who has so gallantly taken upon himself the task of replying the question is unable to answer all the supplementary questions

The Hon'ble Khan Bahadur MOHAMMED ALI: But I have answered——

Mr. HUMAYUN KABIR: I am not yielding, so it is better that the Hon'ble Minister take his seat Now, Sir, we are not satisfied with all his answers. (The Hon'ble Finance Minister stood up to answer.) It is a question of privilege and I think he should take his seat. You have held more than once in this House and you have yourself compelled the unwilling and recalcitrant Ministers in the past to come to this House and answer the questions standing in their name. Whenever you yourself took action it was effective. I would, therefore, appeal to you to see that this sort of affair is not repeated again.

Mr. PRESIDENT: The Hon'ble Ministers should be present to reply to the questions but there is nothing to prevent an Hon'ble Minister from replying on behalf of one of his colleagues, provided, however, that the Hon'ble Minister who undertakes the responsibility is in a position to reply to the question as fully as the Minister in charge of the Department is expected to do.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I am aware of the details of the matter because it came up to me and there was a reference from the Chief Executive Officer of the Calcutta Corporation protesting against the scheme. From my department there was a

reference to the Port Commissioners. I have gone through the file. I dealt with certain matters which were connected with the proposed project. So I am aware of the developments in the Port Commissioners' proposal and whatever information I have given I have given from definite knowledge that I possess.

Evictions at Char Noapara.

59. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Department of Land and Land Revenue be pleased to state whether the Government will publish in full without delay the Report of the Divisional Commissioner regarding what is known as "Pakisthanization of Char Noapara" in the district of Nadia?

(*b*) If not, is it due to the fact that the full report, if published, will support the allegation that lands which were in possession of Hindu tenants of Char Noapara were taken away under orders of the Collector without a valid and proper decree from the Civil Court and given to the Moslem tenants?

(*c*) Why was no attempt made to give the *khas mahal* lands in settlement to the Hindu tenants? Why were Moslems thought of and brought from distant Kustia to ingraft them into Char Noapara? Is it not a fact that Char Noapara is mostly inhabited by the Hindus? Were there any Moslem tenants in Char Noapara? Were any lands settled with them? Why were Moslems of Char Noapara not preferred to Moslems from East Bengal?

(*d*) What is the name of the Subdivisional Officer within whose jurisdiction Char Noapara lies and what is the name of the District Magistrate of Nadia?

(*e*) How many criminal cases were brought against the tenants claiming the Char Noapara disputed lands? Have they been withdrawn? If not, why not?

(*f*) How have the Government at present settled the disputed Char Noapara lands?

MINISTER in charge of the DEPARTMENT of LAND and LAND REVENUE (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain: (*a*) Government is not aware of any such thing as "Pakisthanization of Char Noapara". There was however some question about settlement of Government *khas* land at Char Noapara. The Commissioner, Presidency Division, enquired into the matter in the presence of all parties concerned. His report has already been published and is on sale. A copy of the report is laid in the Library.

(*b*) Does not arise.

(*c*) No settlement was made on communal basis. Shelter had to be found for the homeless *khas mahal* tenants of the diluviated Char Golapnagar in Kushtia subdivision. It was an accident that they happened to be Moslems. Commissioner's report will furnish full information.

(*d*) Subdivisional Officer Mr. Y. A. Khan

District Magistrate—Mr. A. M. Nasiruddin.

(*e*) Seven cases of trespass were started of which 6 were withdrawn as the parties took settlement on payment of *salami* or vacated the lands after payment of proper compensation. The remaining case, in respect of which the party filed a petition before the Sessions Judge, is still pending.

(*f*) Action is being taken by the local officers on the lines indicated in the Commissioner's report.

Mr. LALIT CHANDRA DAS: Arising out of (*c*), is payment of *salami* after the passing of the Bengal Tenancy Act legal or valid?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, it is for first settlement. It is the premium at the time of first settlement. It is not a transfer fee.

Mr. ABDULLAH-AL-MAHMUD: Will the Hon'ble Minister be pleased to state if, in view of the fact that several cases were filed against these persons, the Government considered them as trespassers?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, they were considered trespassers and that is why cases were filed against them.

Mr. LALIT CHANDRA DAS: And afterwards repented and settled with 6 out of 7 of them.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Who says so? Answer (c) clearly says "Seven cases of trespass were started of which 6 were withdrawn as the parties took settlement on payment of *salami* or vacated the lands after payment of proper compensation". In 6 cases they took settlement on payment of *salami* or vacated the lands after payment of proper compensation. The figure 6 covers both the categories.

Khan Bahadur CHYASHUDDIN PATHAN: Will the Hon'ble Minister be pleased to state the name of the Commissioner who held the enquiry?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I think Mr Pinnell.

Mr. LALIT CHANDRA DAS: How many of them took settlement of land?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

Mr. LALIT CHANDRA DAS: How many vacated the lands?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state what is the petition before the Sessions Judge about?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I cannot give the details That is in connection with the criminal case.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Referring to the first item, namely, "Pakisthanization of Char Noapara" may I ask whether the Hon'ble Minister is aware of the fact that in the district of Nadia 63 to 64 per cent. of the Muslim population is in the rural areas?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, in the region of 63 to 64 per cent.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Is the Hon'ble Minister aware of the fact that on account of the riverine character of the district, from time to time, a large number of people of Eastern Bengal settle in different parts of the Nadia District?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes.

Mr. ABDULLAH-AL-MAHMUD: With regard to (c) is it not a fact that Char Noapara is mostly inhabited by Hindus and do the Government

consider it desirable to issue instructions to the District Officer or issue a circular from the Government here to name the village as Hindusthan village? (Laughter from Muslim League Benches.)

(No reply.)

Mr. ABDULLAH-AL-MAHMUD: Sir, my question has not been answered.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I think no reply is necessary.

Mr. LALIT CHANDRA DAS: With reference to (*f*), will the Hon'ble Minister please state whether the direction of the Commissioner has been not to settle the land in blocks C and D in his report and not to settle the land with any new-comer but to await a decision under section 86A of the Bengal Tenancy Act?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Evidently the honourable member knows more than I do. He seems to have seen the report as he knows the blocks C, D, and A, and B of the report. In that case he should not ask for further information from me.

Mr. LALIT CHANDRA DAS: May I know whether the Hon'ble Minister himself has read the report?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, I have read the report, but do not remember it.

Khan Bahadur GYASUDDIN PATHAN: Will the Hon'ble Minister please state whether there was any appeal or representation against the enquiry held by the Divisional Commissioner?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I do not remember.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, the next question stands in the name of the Hon'ble Mr. Abdul Gofran who has now gone to Delhi, and therefore may be held over till his return.

Mr. GEORGE MORGAN: May I ask if it is not possible for Government to obviate the absence of the Hon'ble Minister? There were two questions down for answer in the name of this Hon'ble Minister yesterday but he was not available for answering them and there is also one today.

Mr. PRESIDENT: Will you please speak up, Mr. Morgan?

Mr. GEORGE MORGAN: I was saying that there were two questions down on the question paper for answer by Mr. Gofran yesterday but as he was not present they could not be answered. And we do not know when they are going to come up again. There is no reason at all why Government should not be able to put up some one to answer such questions. They are printed on the paper and the Secretariat is in possession of all the facts and any Minister can give out all those facts, if necessary

Mr. PRESIDENT: It is for an Hon'ble Minister to decide whether he would answer any question on behalf of his colleague or whether a question should be answered by the Minister himself who is concerned.

Mr. HUMAYUN KABIR: May I make a humble suggestion in this connection, Sir?

Mr. PRESIDENT: Please let me hear the Hon'ble the Leader of the House first.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, just now one question was attempted to be answered by another Minister but the House commented on it saying that they would probably get fuller information if the Minister in charge were in the House. Also there is one section in this House that seems to think that any other Minister could as well answer the question, saying that, "it was easy to read out here what is written in the answer". It may be easy to do so, but it may not be easy for him to answer supplementary questions.

Mr. PRESIDENT: I think if any other Minister wants to answer any question on behalf of his colleague he is expected to study the file and come prepared so that there may not be any difficulty in answering the supplementary questions.

Mr. HUMAYUN KABIR: May I make a submission? The former procedure might be followed of selecting certain days for certain types of questions. All the Ministers cannot perhaps attend the House on all days; therefore they may come on certain days in the week. For instance, questions regarding the Home Department, or the Civil Supplies Department, etc., may be put down on particular days of the week. This would both relieve the Minister from the necessity of attending the House daily and also giving the House an opportunity of finding out all the facts. If that procedure is followed, I think, it will be helpful to the Government as well as to all the members of this House.

Mr. PRESIDENT: That system was tried but it did not work very satisfactorily. If a question is not answered within a certain date, it becomes overdue.

Mr. HUMAYUN KABIR: May I make a humble submission again? So far as the question of overdueness is concerned, you know, Sir, that questions as a matter of fact are outstanding since 1942; that is surely not a sign that questions are answered in proper time. Therefore, if this arrangement is made that a certain day in the week should be fixed for a particular department, then it may improve matters, of course, no alteration in the period of time is required.

Mr. PRESIDENT: Since 1942 and today there were various incidents for which questions could not be answered and I do not think that the present Ministry can be held responsible for the delay that occurred during this period.

Mr. HUMAYUN KABIR: Government as a whole is responsible though not the present Ministry.

Mr. HARIDAS MAJUMDAR: If an Hon'ble Minister cannot be present on a particular day then why are his questions printed for that day? They may inform the President's department that they will not be able to attend on a particular day, so that this waste of public money may be prevented. I do not of course mean accidental absence but absence which had been foreseen.

Mr. PRESIDENT: That is a very helpful suggestion. If the Hon'ble Minister who has left for Dehli had notified this fact to the Council Department, then this question would not have appeared on today's agenda.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Sir, could not there be a compromise between what Mr. Humayun Kabir has suggested and what you have said? If, for example, a certain date is fixed for a certain question and the Hon'ble Minister makes it a point to attend the House on that day to answer his question it would save a lot of Hon'ble Minister's time and the time of the House, because in that case the Hon'ble Minister need only attend the Council for half an hour or so to answer his

question. Even if the Minister is absent it should be possible for him to answer the question at the earliest possible opportunity in later weeks and the House will appreciate if there is not much delay in answering the question. Everybody will then know that the Hon'ble Minister will answer the question that is on the agenda on a day. At the same time if an exigency necessitates a Minister to be absent, say, on Monday, it will be appreciated if that question is put on the agenda for the next Monday and the Minister tries his level best to attend the House on that day. This convention can only be worked if the absence is not to be taken as absence from the House only but really physical absence from the province. If he is here he should make every effort to be present for answering his question. In the Central Government this system is followed and on the day a Member has to answer a question he always tries his best to be present. So, I think, Sir, you can find some sort of compromise here also.

Mr. PRESIDENT: I may tell you and the House that this system was introduced here but it was found that some of the Ministers did not turn up on the date fixed for their answers——

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: You have got enough power to see that they are present.

Mr. PRESIDENT: In case a Minister is leaving Calcutta, it is his duty to inform the Council Department that he is going out and his question or questions should not be placed on the agenda till his return.

Mr. ABDULLA-AL-MAHMUD: If Mr. Haque's suggestion is accepted then a question will be answered if it is tabled but if it is not answered fresh copies of the question may be supplied to the members on the next day when it will be answered as the members do not like to pick out questions from the bundle of old questions.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: In case a particular question placed on the agenda could not be answered by the Minister, either the question will not be printed or if it is printed it should be reprinted for the next day when it will be answered

Mr. PRESIDENT: Well, we have had to give up the practice of reprinting on account of shortage of paper. Of course, now that there is not so much shortage I think that practice can be revived Questions over.

Adjournment Motion.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, amendments in connection with the Cattle Trespass (Bengal Amendment) Bill, 1946——

Mr. HARIDAS MAJUMDAR: Sir, about my adjournment motion the Hon'ble Finance Minister promised to make a statement today. May I know when he is going to make the statement?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I have spoken to him already that I will make the statement either on the next day or on Tuesday.

Mr. PRESIDENT: I think you should give a definite date.

The Hon'ble Khan Bahadur MOHAMMED ALI: Will Tuesday next suit you?

Mr. HARIDAS MAJUMDAR: It is better to have it on Wednesday.

The Hon'ble Khan Bahadur MOHAMMED ALI: All right.

Mr. LALIT CHANDRA DAS: Sir, after that adjournment motion is disposed of, I think my adjournment motion will be considered.

Amendments to Official Bills.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, as regards the three Bills, namely, (1) the Cattle Trespass (Bengal Amendment) Bill, 1946, (2) the Bengal Dentists (Amendment) Bill, 1946, and (3) the Bengal Local Self-Government Association (Recognition) Amendment Bill, 1946, when are you going to fix the time for the receipt of amendments to these Bills?

Mr. PRESIDENT: We are not meeting on Monday. So, I would suggest that the amendments to the motions that the Bills be taken into consideration and on the clauses of the Bills should be sent by 3 p.m. on Tuesday.

The Bengal Finance (Extending) Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I beg to move that the Bengal Finance (Extending) Bill, 1946, as passed by the Assembly, be taken into consideration. This is a very simple Bill and it does not either propose to increase the existing rate of tax, nor does it impose any new tax. The object of this Bill is only to allow to continue for another year the following taxes at the rate of 15 per cent., namely, the Totalisator Tax, leviable under section 15 of the Bengal Amusement Tax Act, 1922, and the Betting Tax, leviable under section 18 of the said Act. Originally the rate was 4 per cent., subsequently it was raised to 10 per cent, and last year it was again raised to 15 per cent., and this was given effect to by a Governor's Bill which expired on 10th July, 1946. In view of the fact that the Legislature was not sitting at that time this was kept alive by an Ordinance and when we have met we want to convert that Ordinance into a legislative enactment. We have a huge deficit and it is not possible at this juncture to reduce the rate of this tax. I hope the House will agree to it and conclude the business within a few minutes and thus we could go home earlier today.

Mr. PRESIDENT: Motion moved: That the Bengal Finance (Extending) Bill, 1946, as passed by the Assembly, be taken into consideration.

Mr. BIREN ROY: Sir, the Hon'ble the Finance Minister proposes to increase the Betting and the Totalisator Tax—

The Hon'ble Khan Bahadur MOHAMMED ALI: No, the Bill is not to increase the tax.

Mr. BIREN ROY: Oh, I am sorry. However, he should have increased the rate. My suggestion is that he should increase the tax. The Government of Bombay have asked Rs. 25 lakhs from the Turf Club and so why we should not get something from our Royal Calcutta Turf Club. I do not know if the Hon'ble Minister is a race-goer. He might be one of them.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, Mr. Biren Roy rose to oppose the motion. He wanted to oppose the increase. But when he found that I was not proposing to increase the tax, he proposes an increase. (Mr. BIREN ROY: By no means. I did not oppose the motion.) We shall welcome such form of taxation by which we could put the burden on those who can afford to pay for the benefit of the Provincial Exchequer, in other words for the benefit of the poor. Certainly we should be careful in levying taxes to see that the burden does not fall on the poor, as far as possible. But in this case it is very difficult to enhance the existing rate of tax simply for the reason that if we do it we may go beyond the limit when it may become uneconomic, in the sense that we may not get the same return as we get now. There is another danger and that danger is that there is every likelihood of the underground private book-makers increasing. At present betting is controlled and is limited to the premises of the Royal Calcutta Turf Club. Of course, as honourable members know,

it is an open secret that there are some bookies doing business in private but that is illegal but if we increase the rate of taxation to a higher level then there is the danger that this kind of illegal bookmakers will have a roaring trade and will encourage persons to go to private bookmakers by doing which they will avoid paying this tax. Under these circumstances Mr. Biren Roy, who is an expert on the subject, will perhaps realize that it is not possible to go beyond this limit at this stage.

Mr. ABDULLAH-AL-MAHMUD: Sir, I have a few observations to make on the Finance Bill. Sir, on principle I think the Muslim League Ministry should not go in for any kind of taxes or impose any tax whether it be on gambling or on betting or whatever it might be. Other provinces are trying to dry up their provinces in order to eradicate the evil of drinking. The other day I read in the newspaper columns something about Madras. Madras has already taken up the scheme of prohibition. I cite an instance. There a betting association wanted permission from the Government to continue their normal activities. Normally the Association used to pay Rs. 15 as licence fee. The Government on principle wanted to stop it altogether. But before doing so they have given a short notice to wind up their activities and for this period they have realised a consolidated tax of Rs. 37,000 and accorded only temporary permission. All the same they are on the lookout to drive away all the evils from the province. When the habit is evil we should not base our argument on the fact that the tax is payable only by the rich and it will not affect the poor. This being a Muslim League Ministry, on ethical and moral grounds they should see that these evils which are the causes of ruin from top to bottom do not exist in the society and are put an end to once and for all.

Mr. LALIT CHANDRA DAS: May I say a few words, Sir? My friend over there has made a suggestion which I would like to support, and that suggestion is that this gambling should be abolished altogether. I do not agree with the Finance Minister when he said that it is a tax only for the rich. I know, Sir, there are very many people of the poorer section who frequent race-courses and they spend whatever they have. If by races some are benefited surely others are ruined and that is not a desirable state of affairs. Government should not look to races as one of their means of existence, because the habit is bad. This is supposed to be a popular Ministry and leaving aside retrenchment and other sources of income they go in for tax on gambling. It is only an indolent set of people who go out for racing and this gambling habit should be abolished. So I shall wholeheartedly support my friend over there. If Government want more money they must try and explore other avenues of income for their existence. With these few words, Sir, I would like to oppose the Bill.

The Hon'ble Khan Bahadur MOHAMMED ALI: Two honourable members have raised a very important point which, strictly speaking, is not relevant now. They have raised the issue that gambling and betting should be abolished altogether. Whatever may be my personal opinion I would like to point out to the members of this House that there are two schools of thought on the subject. The one is that the instinct of gambling is inherent in human beings and therefore it is impossible to stamp out gambling and if attempts to stamp out are made the net result will be that gambling will become more widespread and will go on from underground. The other school of thought is that if gambling cannot be completely stamped out then it is better to control it in such a manner that it is not resorted to by the general public and especially by the poor among them because the tax levied thereon takes gambling beyond their reach. So, there are two schools of thought in this matter. America experimented with the policy of prohibition; they tried to stop this evil of drinking but they were not successful because they found that there was so much trafficking in illicit liquor, there was so much boot-legging, that it brought all sorts of evil and crime into the country, so that the American

Government had to come back to the *status quo ante*. I do not want to go into controversy over this question but I may assert that the present proposal has nothing to do with these things. The present proposal is really to keep the existing rate going; the proposal is not to increase it. But we cannot afford to lose the tax altogether.

Mr. SYED BADRUDDUJA: Sir, I want to add a few words on this matter. I would never have intervened in this debate but for the observations of the Hon'ble Finance Minister——

Mr. PRESIDENT: I may tell the Finance Minister that he will have no right of reply; he has spoken more than once.

The Hon'ble Khan Bahadur MOHAMMED ALI: Why shall I be deprived of the right of replying to the debate, Sir?

Mr. PRESIDENT: Why did you not wait for the debate to finish?

Mr. SYED BADRUDDUJA: The Hon'ble Finance Minister is behaving exactly like little children in a debating club. He is always on his legs. Let him wait patiently. (The Hon'ble Khan Bahadur MOHAMMED ALI: But I did wait, and thought that nobody else would speak). Mr. Mohammed Ali observes that the instinct of gambling is there in all human nature and cannot be stamped out. It is therefore wise, he says, that some restriction should be imposed on this instinct. But, Sir, from the lips of a Mussalman I never dreamt of listening to such remarks. Sir, fourteen hundred years ago,—

The Hon'ble Khan Bahadur MOHAMMED ALI: On a point of personal explanation, Sir.

Mr. SYED BADRUDDUJA: I am not going to yield. As I was saying, Sir, I was not prepared to listen to such remarks from the lips of a Mussalman. Fourteen hundred years ago our Prophet not merely made the country dry, but made it impossible for any Mussalman all over the world to resort to drinking, gambling or any games of chance. Sir, in the very language of the *Quoran* it has been emphatically enjoined on Mussalmans that under no circumstances should any Mussalman indulge in gambling and things like that which lead to the disruption of society or destruction of its economic structure in any way. My friends from this side of the House have very rightly observed that gambling not only leads to ruination of the richer sections of the community but also filters down to the masses and affects them. Sir, the Congress Governments of Bombay and Madras have succeded in abolishing even drinking. So there is no reason why the Government of Bengal should not try to stamp out gambling which is responsible for so many miseries and ills of life. That is the point I want to stress. That is the position that the Hon'ble Finance Minister should take up consistent with his profession that he is here not to increase the rate of betting tax; but what is most important is that he should try to eradicate it for all time. Sir, sufficient unto the day is the evil thereof. We are already suffering from many ills and disabilities of life in various directions. It is therefore time that the Government of Bengal, if it has got the interests of the people at heart, came forward with schemes of reconstruction conducive to the welfare of the people so that the evils attending every sphere of life might be eradicated in no time.

The Hon'ble Khan Bahadur MOHAMMED ALI: On a point of personal explanation, Sir. I am afraid the previous speaker did not quite understand me. I only said that there were two different schools of thought in this matter and I wanted to explain the views of the two different schools of thought. I did not give my own views. I made it quite clear that whatever might be my own views, there were two schools of thought and I had just explained what those views were.

Mr. PRESIDENT: The question before the House is that the Bengal Finance (Extending) Bill, 1946, be taken into consideration.

(The question was put and agreed to.)

Mr. PRESIDENT: Clause 1 stand part of the Bill.

The question before the House is that clause 1 stand part of the Bill.

(The question was put and agreed to.)

Mr. PRESIDENT: Clause 2 stand part of the Bill.

The question before the House is that clause 2 stand part of the Bill.

(The question was put and agreed to.)

Mr. PRESIDENT: The title and preamble be added to the Bill.

The question before the House is that the title and preamble be added to the Bill.

(The question was put and agreed to.)

The Hon'ble Khan Bahadur MOHAMMED ALI: I beg to move that the Bengal Finance (Extending) Bill, 1946, as settled in the Council be passed.

Mr. PRESIDENT: The question before the House is that the Bengal Finance (Extending) Bill, 1946, as settled in the Council be passed.

(The question was put and agreed to.)

Mr. PRESIDENT: Mr. Saiyed Muazzamuddin Hosain, we have received no message regarding the Motor Spirit Sales Tax Bill. So it cannot be taken up on Monday. There will, therefore, be no sitting on Monday.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Then, Sir, the next sitting will be on Tuesday next.

Mr. PRESIDENT: Yes. I understand that the election of the Deputy President will take place on Tuesday. In that case the Motor Spirit Sales Tax Bill cannot be taken up on that day unless there is time after the election of the Deputy President. I will adjourn the House now.

The Council stands adjourned till 1-15 p.m., on Tuesday, the 13th August, 1946.

Adjournment.

The Council then adjourned till 1-15 p.m. on Tuesday, the 13th August, 1946.

Members absent.

The following members were absent from the meeting held on the 8th August, 1946:—

(1) Mr. Sultanuddin Ahmed,
(2) Mr. L. P. S. Bourne,
(3) Mr. Kamini Kumar Dutta,
(4) Khan Bahadur Shaikh Fazal Ellahi,
(5) The Hon'ble Khan Bahadur Abdul Gofran,
(6) Maulana Mahammad Akrum Khan,
(7) Mr. Syed Abdul Majid,
(8) Mr. Nagendra Nath Mohalanobish,
(9) Mr. T. B. Nimmo,
(10) Mr. Birendra Kishore Roy Chowdhury,
(11) Mr. F. C. J. Steuart, and
(12) Mr. Md. Taufiq.

BGP-46/7-6058A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 12.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 13th August, 1946, at 1-15 p.m., being the 12th day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Oath of members.

Mr. PRESIDENT: Any member who has not yet taken his oath under section 67 of the Government of India Act, 1935, may now do so.

The following member took his oath :—

Mr. Syed Abdul Majid.

QUESTIONS AND ANSWERS

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, as the Chief Minister is not here his questions may be held over. But I can answer question No. 62.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Sir, it is not a question of one Minister answering on behalf of another. We can as well read out the answers ourselves.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I know this 5-year plan and I can answer the question as well as the supplementaries.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: If that is so, the Hon'ble Minister should have stood up immediately the question was put.

Mr. PRESIDENT: I have pointed out over and over again to the Hon'ble Ministers that there is nothing to prevent one Hon'ble Minister replying to a question on behalf of his colleagues provided he comes prepared to answer the supplementary questions. Moreover, the House at least expects this much courtesy that the Hon'ble Ministers should be at their seats to reply to the questions standing in their names.

Mr. ABDULLA-AL-MAHMUD: Sir, was not there a principle adopted that if an Hon'ble Minister, in whose name there is a question to be answered, is absent his question would be held over? Some sort of principle must be adopted. Either the Minister concerned should be present in the House and answer the questions that come up on a particular day and which concern him, or they should be held over in case the Minister concerned is not present in the House on the particular day. Whether another Hon'ble Minister has come prepared or not, that does not matter.

Mr. PRESIDENT: You have not enunciated any new principle. The system you are suggesting is an old one and is followed. An Hon'ble Minister in charge of a Department is expected to answer the questions standing in his name on the days allotted. If he is unavoidably absent then any hon'ble colleague of his can take upon himself the responsibility of answering that question provided he comes thoroughly prepared for it.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: What I said a little while ago was perhaps not heard by you. What I meant to say was this. Supposing, Sir, you put question No. 61 which has to be answered by a particular Minister, and if that particular Minister happens to be absent from the House, and if some other Minister is prepared to answer that question on the absent Minister's behalf, the procedure that is followed by the latter in that case is that he immediately rises in his seat and takes your permission saying. "May I answer this question on such and such Minister's behalf?". This is the procedure that I know of. Then of course it is for you to permit him and it is also for the House, in case the supplementaries are not satisfactorily, or could not be at all, answered by the substitute Minister, to have their say in the matter. But as I said, what I objected to when the Hon'ble Mr. Mohammed Ali came forward to answer a question on a particular Minister's behalf was because the question had already been held over on account of the Minister's absence and his offer to reply came much too late. The correct procedure was that as soon as the question was put by the President he should have got up in his seat and sought the President's permission to act on another Minister's behalf. This is what I suggested.

The Hon'ble Khan Bahadur MOHAMMED ALI: At that moment I expected that the Chief Minister who is to answer the question was arriving at the right time and would be able to answer the question himself. So I allowed some time to pass so that he could come up in the meantime, this intervening time being taken up by other questions not concerning the Chief Minister. As he has not turned up as yet, I come forward, Sir, and I shall be able to answer Questions Nos. 62 and 64.

Professor Santi Sudha Ghosh, M.A.

62. Mr. HARIDAS MAZUMDAR: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) if it is a fact that Professor Santi Sudha Ghosh, M.A., as Eshan Scholar of the Calcutta University, was a security prisoner for some time;

(*b*) if it is a fact that she has now been released unconditionally;

(*c*) if it is a fact that she has not been allowed to rejoin the Brojomohon College, Barisal, resulting in her practical unemployment; and

(*d*) if the reply to part (*c*) is in the affirmative, what arrangements the Government propose to make as regards her maintenance, as she is being deprived of her ostensible means of livelihood?

The Hon'ble Khan Bahadur MUHAMMAD ALI (on behalf of the Minister in charge of the Home Department): (*a*) and (b) Yes.

(*c*) and (*d*) I understand that the ban on Miss Santi Sudha Ghosh's re-employment has already been lifted and in point of fact she is now working as a Professor of that college.

Special measures for the welfare and uplift of the villagers in Bengal.

64. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state what special measures have already been taken and are also contemplated to be taken by the Government of Bengal for the welfare and uplift of the villagers with a view to raising the general standard of living in Bengal?

(*b*) If so, what are they?

(*c*) If not why not?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of Chief Minister's Department): (*a*) The honourable member is referred to the Five-Year Plan which has a markedly rural bias and has been conceived to attack the problems of welfare and uplift over the broadest possible front.

(*b*) The scope of the plan will be apparent from the printed preliminary draft which has been laid in the Library and the revised publication which is under compilation. The immediate scope of the interim portion of the Plan and of other measures being undertaken will be more apparent when the consequential plan of operations, district by district, which is under preparation can be made available.

(*c*) Does not arise.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Is it possible for the members to get a copy of this printed preliminary draft of the plan?

The Hon'ble Khan Bahadur MOHAMMED ALI: That question was considered by Government and then it was felt that as this had become out-of-date and as we are revising the plan, it would not be wise to distribute this plan which will be out-of-date very shortly.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: When can the members expect to be supplied with a copy of the revised plan?

The Hon'ble Khan Bahadur MOHAMMED ALI: As soon as the copies are printed.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: When?

The Hon'ble Khan Bahadur MOHAMMED ALI: I cannot give a target date but I can assure the honourable member that it is being expedited and it is hoped that it will be in their hands very soon.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Are the plans drawn up district by district or is it only the general one?

The Hon'ble Khan Bahadur MOHAMMED ALI: Only the general one. District by district plan will take some time

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: I am anxious and I hope the Hon'ble Minister is likewise anxious about the welfare and uplift of the masses and that is why I suggested in my budget speech to the Hon'ble Minister to have charts of districts before him so that he could watch the progress of each district at a glance

The Hon'ble Khan Bahadur MOHAMMED ALI: The district plans for the interim portion of the plan are there and when I am taking district by district population the scheme I am talking of is the whole comprehensive programme for development of the province as a whole.

Adjournment Motion.

Mr. HARIDAS MAJUMDAR: Sir, I have an adjournment motion standing in my name. May I move it?

Mr. PRESIDENT: You know there is already another adjournment motion standing in your name Till that is disposed of, other adjournment motions cannot be taken up.

Arrest of a member of the Legislature.

Mr. HARIDAS MAJUMDAR: Then, Sir, I rise on a Point of Privilege.

Mr. PRESIDENT: What is that about?

Mr. HARIDAS MAJUMDAR: The point is that the arrest and detention of a member of the Legislature within the precincts of the Legislative Buildings without warrant from a competent court of jurisdiction is a breach and infringement of the privileges of a member of a Chamber of the Legislature. That is the point, Sir. On the 6th instant, I mean on Tuesday last, as you know, there was a nasty incident within the compound of the Bengal Legislative Buildings in which a member of the Bengal Legislature was arrested by a Deputy Commissioner of Police, Calcutta, inside the outer precincts of the House and was not allowed to approach the Hon'ble Speaker or the Hon'ble President who are the custodians of the rights and privileges of the members of the Legislature. It is not necessary for me to go into the particulars of the incident or the highhandedness or into the outrageous conduct of the puffed-up officer whose statement was pointedly declared to be a lie by the Hon'ble Speaker of the other House.

Mr. PRESIDENT: Order, order. Mr. Majumdar, you must not refer to the presiding officer of the House, or to a member of that House.

Mr. HARIDAS MAJUMDAR: As a matter of fact, if I cannot utilise that fact for my purpose——

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: Can an incident that took place in another House be made the subject matter of a discussion here as a matter affecting the privileges of this House?

Mr. SYED BADRUDDOZA: Sir, cannot an incident which took place in another House but within the precincts and compounds of the same building be taken cognizance of in this House?

Mr. PRESIDENT: Order, order. The point is that you will have to show that the privileges of a member of this House have been infringed. You must confine your observations to that The other House is quite competent to look after its own privilege.

Mr. HARIDAS MAJUMDAR: Sir, if the rights and privileges of a member of the Legislature are infringed, irrespective of the Chamber, I think I am within my rights in referring to it in this House,——

Mr. PRESIDENT: No, you are not. When you talk of the privilege of honourable members in this House it must be with respect to the members of the Upper House.

Mr. HARIDAS MAJUMDAR: Therefore, my point is that the privilege——

Mr. PRESIDENT: Will you please come to the point? Can you point out how the privilege of any member of this House has been infringed? If not, I would advise you to give up this point.

Mr. HARIDAS MAJUMDAR: If that is your ruling that I cannot bring in any motion of privilege unless it touches that of the members of this House——

Mr. PRESIDENT: Yes, definitely.

Mr. HARIDAS MAJUMDAR: Then in that case I would move this matter as a matter of detention of a member of the Legislature.

Mr. PRESIDENT: I have understood your point. In that case you better leave it; if it has anything to do with breach of privilege of a member of the other House, that is no concern of this House.

Mr. HARIDAS MAJUMDAR: From this therefore let us take a lesson and let us pass a Privilege Bill into law so that incidents of this nature cannot recur. I demand that a Privilege Bill be enacted into law in course of this very session so that such incidents may not happen again. That is my point.

Mr. PRESIDENT: If you have got a complete scheme ready to put forward, then that should be referred to the Committee of Privileges of this House.

Mr. SYED BADRUDDOJA: Sir, may I enquire if an incident which took place in another House in relation to a particular member cannot be taken notice of in this chamber?

Mr. PRESIDENT: You will understand as an experienced member of the Legislature that when one talks of the privilege of a member of the Legislature, he means the privilege of a member of the particular House of which he is a member, otherwise that question does not arise.

Mr. LALIT CHANDRA DAS: On a point of information, Sir. My question relates to the adjournment motion of which I had given notice.

Mr. PRESIDENT: Yes, you did.

Mr. LALIT CHANDRA DAS: It has reference to this very incident and a previous adjournment motion of my friend Mr. Haridas Majumdar regarding the All-India Radio is blocking the path of my motion. May I know when it is coming?

Mr. PRESIDENT: I think tomorrow.

Mr. LALIT CHANDRA DAS: I hope then that after that motion is disposed of, my motion will come up.

Election of Deputy President.

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: May I request you, Sir, to adjourn the House for half an hour. We have not been able to discuss finally the question of the election of the Deputy President. So we crave your indulgence to adjourn the House for half an hour.

Mr. LALIT CHANDRA DAS: With respect to this matter, Sir, we have our objection. Today has been fixed for the election of the Deputy President and there are two candidates. We are not agreeable to the adjournment of the business now. It is not time for coming to a settlement at the time when the election is just to begin. So I object to an adjournment now.

Mr. PRESIDENT: Adjournment of the House can only be allowed at this stage with the consent of the House. If there is any objection certainly I would not adjourn the House. You can settle the matter among yourselves. If the whole House agrees I shall have no objection to adjourn the House for half an hour.

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: They agreed previously but subsequently they have changed their mind.

Mr. PRESIDENT: So let us now take up the next item.

Mr. LALIT CHANDRA DAS: Yes, Sir, we are ready for the election of the Deputy President.

Mr. PRESIDENT: Order, order, the House will now proceed to elect its Deputy President. The following candidates have been duly nominated for the post of Deputy President of this Council, namely,—

(1) Mr. Sultanuddin Ahmed, proposed by Mr. Sayed Fazle Rabbi Chowdhury and seconded by Mr. Reajuddin Bhuiya.

(2) Rai Bahadur Dhirendra Lal Barua, proposed by Mr. Mukhlesur Rahman and seconded by Mr. Nur Ahmed.

(3) Mr. Abdul Hamid Chowdhury, J.P., proposed by Mr. Tarak Nath Mukerjea, Mr. Moazzemali Chowdhury, Miss Ethel Robertson, Mr. Mohammad Taufiq and seconded by Mr. Charles Edward Clarke, Mr. Abdul Latif, Mrs. Labanyaprobha Dutt and Haji Md. Yusuf.

(4) Mr. A. M. Shahoodul Haque, proposed by Mr. Syed Abdul Rasid Choudhury and seconded by Mr. Mobarak Ali Khan.

(5) Mr. Wahiduzzaman, proposed by Mr. Syed Abdul Majid and Mr. Yusuf Ali Chowdhury, alias Mohan Mia, and seconded by Mr. Ghyashuddin Pathan and Mr. Hamidul Huq Chowdhury.

I would like to refresh your memory regarding the procedure to be followed. I would read out the following instructions:—

The ballot box in which the members are to put their ballot papers may be examined by any member who cares to do so to see that it is empty before it is locked.

Behind the Chair within the screened enclosure is placed a table where each member may record his vote.

Members desirous of voting will kindly advance towards the Chair, one by one, when they will be given a ballot paper signed on the back by the Secretary.

Members will then enter the screened enclosure by the right of the Chair and after recording their votes they will leave the said enclosure by the left of the Chair.

A member may vote for one candidate only.

Members will go into the enclosure one at a time and, with the pencil provided there, place a cross on the right-hand side in column 2 of the ballot paper, opposite the name of the candidate for whom he votes.

The member will then fold up the ballot paper so as to show the Secretary's signature on the back, and leaving the enclosure will without showing the front of the paper to any person, show the Secretary's signature on the back to the person presiding, and then, in the presence of the person presiding, put the ballot paper into the ballot box, and proceed to his seat.

If a member inadvertently spoils the ballot paper, he can return it to the person presiding, who will, if satisfied of such inadvertence, give him another ballot paper.

If a member votes for more than one candidate, or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

Once again I desire to make it clear that members are to indicate their preference on the ballot paper by marking a cross against the name of the candidate for whom they wish to vote. Only one vote can be given to a candidate. Members should not sign or initial the ballot paper.

If any honourable member has not been able to follow the rules which I have read in English, I shall be very glad to explain them to him in Bengali, if he so desires.

The honourable members will now please come, one by one, to record their votes.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, are you not going to ring the bell so that the honourable members may enter the Chamber to record their votes?

Mr. PRESIDENT: No. They may come one at a time to record their votes.

Mr. BIJOY SINGH NAHAR: If a member is not present in the Chamber at the time of recording the votes, will he be able to record his vote?

Mr. PRESIDENT: Yes.

Mr. BIJOY SINGH NAHAR: Then how long we shall wait for the recording of votes?

Mr. PRESIDENT: There is no time-limit. We shall wait as long as the House is not adjourned. It may be 3-15 p.m. or it may be earlier.

(While the voting was in progress.)

Mr. ABDUL HAMID CHOWDHURY: Mr. President, Sir, may I enquire if there is yet any time to withdraw one's candidature?

Mr. PRESIDENT: No.

Mr. PRESIDENT: Is there any honourable member who is desirous of casting his vote but has not yet done so? He may do so now. I take it that there is none. The voting is therefore closed. I would request the Secretary and the Assistant Secretary to count the votes.

(After the ballot papers had been counted.)

Mr. PRESIDENT: Order, order. Altogether fifty votes were cast. Of these two have been rejected. Mr. Abdul Hamid Chowdhury, B.L., has secured 46 votes, Rai Bahadur Dhirendra Lal Barua two, and the other candidates nil. As Mr. Abdul Hamid Chowdhury has secured more than the total of the votes secured by the other candidates I declare him elected as Deupty President of this House. (Cheers.)

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: On behalf of this group I wish the heartiest of congratulations to my friend Mr. Abdul Hamid Chowdhury on his being elected as Deputy President of this House and I believe in doing so I echo the sentiments of all sections in this House. He has been Deputy President before; he is familiar with us as we are also familiar with him, and he has always done his best to keep up the dignity of the House. I have no doubt that his election for a further term will be another test of the confidence that the House has in him and I congratulate him again on his election.

Rai Bahadur BROJENDRA MOHAN MAITRA: Sir, on behalf of the party to which I belong I congratulate Mr. Abdul Hamid Chowdhury on his being elected as Deputy President of this House. We have seen him as Deputy President for the last six years, and accordingly our choice fell on him this time also. Our party hopes that he will shed his party affiliation when he occupies the chair and that he will do his work as impartially as hitherto he has done. I congratulate him again upon his election.

Mr. GEORGE MORGAN: I should like to congratulate my friend Mr. Abdul Hamid Chowdhury on his being elected as Deputy President of this House. I am sure he will remember to uphold the dignity of the chair and to guard the privileges of the House scrupulously. I congratulate him again, Sir.

Mr. SATISH CHANDRA SEN: Sir, on behalf of the Nationalist Party I also congratulate my friend Mr. Abdul Hamid Chowdhury on his election. It is really gratifying that practically the House is united in electing him, and I think that it is a matter of gratification to him also in as much as it

shows that he has the confidence of the entire House, and I also join my friend the leader of the European Group in what he has just now said that he will maintain the dignity of the House and that of every member in the House.

Mr. PRESIDENT: Order, order. The Chair would like to associate itself in the felicitation offered to Mr. Abdul Hamid Chowdhury on his re-election as Deputy President of this House. The Chair had every co-operation from him during the last few years that he had been Deputy President and I have no doubt that he would again discharge the responsibilities of his office in the same way that he did in the past. I wish him a successful term of office.

Mr. ABDUL HAMID CHOWDHURY: Mr. President, Sir, I am overwhelmed with a sense of gratitude to you as well as to all my honourable colleagues for the signal honour they have done me by re-electing me for the second time to the office of the Deputy President of this Council. It was about six years ago in another August that I was unanimously elected to this office for the first time. This time also I have been favoured with solid support of all the sections of this House which is indicative of their affection and good wishes for me and for which I am extremely grateful to them all. I offer my sincere thanks to all of them in general and particularly to you, Sir, and to those honourable members who have spoken many good things about me in the course of their felicitation. Some of my friends have expressed the hope that I should be able to maintain the dignity of the House. I may assure them in reply that whenever occasion arises, I shall try my level best to prove myself worthy of the confidence put in me. I offer my heartiest thanks once again to the whole House.

Mr. PRESIDENT: Order, order. May I enquire of the Hon'ble the Leader of the House as to what is going to be the agenda for tomorrow. No programme of business has yet been received from the Government.

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: According to the programme the Motor Spirits Bill ought to have come from the Lower House but I am just informed that it has not come from that House.

Mr. PRESIDENT: It is for the Government to settle the Order Paper.

The Hon'ble Khan Bahadur Saiyed MUAZZAMUDDIN HOSAIN: I am now informed that the Cattle Trespass Bill will come up tomorrow and we may go on with that Bill in this House.

Mr. PRESIDENT: All right. The House now stands adjourned till 1-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-15 p.m. on Wednesday, the 14th August, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 13th August, 1946:—

(1) Mr. Reajuddin Bhuiya,
(2) Mr. Kamini Kumar Dutta,
(3) Khan Bahadur Sk. Fazal Ellahi,
(4) Mr. Humayun Z. A. Kabir,
(5) Maulana Md. Akrum Khan,
(6) Mr. Nagendra Nath Mahalanobish,
(7) Khan Bahadur Mukhlesur Rahman,
(8) Dr. Kumud Sankar Roy,
(9) Mr. Birendra Kishore Roy Chowdhury, and
(10) Mr. F. C. J. Steuart.

BGP-46/7-8084A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 13.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 14th August, 1946, at 1-15 p.m., being the 13th day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

Removal order on Maulvi Aminuddin Munshi.

63. Rai Bahadur BROJENDRA MOHAN MAITRA (on behalf of Mr. Humayun Kabir): (*a*) Will the Hon'ble Minister in charge of the Department of Co-operation, Credit and Relief, be pleased to state if it is a fact that the Government of Bengal directed the District Magistrate, Faridpur, to remove Maulvi Aminuddin Munshi, Chairman of the Debt Settlement Board, Algi, in Bhanga, police-station Faridpur, by the 31st October, 1942, on grounds of corruption and incompetence?

(*b*) Is it a fact that no steps have yet been taken to carry out that order?

(*c*) Is it a fact that in November, 1944, Government again directed the District Collector to remove the said Chairman?

(*d*) Is it a fact that more than 200 cases are still pending before him?

(*e*) Is it a fact that some of the cases are pending for the last five years?

(*f*) Is it a fact that the said Maulvi Aminuddin Munshi is the President of the Union Board, Chairman of the Jute Committee, President of the Union Food Committee, and wholesale dealer of foodgrains for the entire Bhanga police-station?

(*g*) Is it a fact that many petitions have been lodged against him to the Circle Officer, the Subdivisional Officer and the District Magistrate complaining of bribery and black-marketing?

(*h*) Is it a fact that he is also the President of the Union Muslim League?

MINISTER in charge of the DEPARTMENT of CO-OPERATION, CREDIT and RELIEF (the Hon'ble Khan Bahadur Abul Fazal Muhammad Abdur Rahman): (*a*), (*c*) and (*g*) No.

(*b*) Does not arise.

(*d*) and (*e*) Yes, that was the position in the middle of 1941.

(*f*) and (*h*) Yes.

Professor Santi Sudha Ghosh and others.

65. Mr. HARIDAS MAJUMDAR: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state if his attention has been drawn to the news appearing in a Calcutta newspaper of the 23rd instant that the Director of Public Instruction, Bengal, has communicated an order to the Governing Body of the Brojo Mohan College, Barisal, that the Government help to the said college will be withheld if they fail to dispense with the services of Professors Sm. Santi Sudha Ghosh, Sj. Profulla Ranjan Chakravarty and Sj. Sudhir Kumar Aich?

(*b*) If so, is it not a fact that (*i*) Professor Sm. Santi Sudha Ghosh has been released without any condition imposed on her, and that (*ii*) Professors Sj. Profulla Ranjan Chakravarty and Sj. Sudhir Kumar Aich are still in detention as security prisoners?

(*c*) If the answer to part (*b*) (*ii*) be in the affirmative, is it not a fact that the association of the said Professors with the college students is physically impossible.

(*d*) If so, will the Hon'ble Minister be pleased to state the reasons for such an order at the present moment under the circumstances disclosed in reference to parts (*b*) (*i*) and (*ii*)?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) and (*b*) (*i*) Yes.

(*ii*) They have since been released.

(*c*) Does not arise.

(*d*) The grant to the college has since been released.

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister be pleased to state how long this question is hanging fire in his archives?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I want notice, and I may point out that the Council was not sitting for nearly a year.

Grant to Brojomohan College, Barisal.

66. Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) if it is a fact that the payment of the monthly Government grant to the Brojomohan College, Barisal, has still been held back;

(*b*) if the reply to part (*a*) be in the affirmative, the reasons for such action on the part of the Education Department of the Government of Bengal;

(*c*) if the professors whose services were required to be dispensed with are still security prisoners; and

(*d*) if not already done, when, if at all, the Government propose to release the said grant to the said institution?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (*a*) No, the grant has since been paid.

(*b*) and (*d*) Do not arise.

(*c*) No. They have since been released.

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister be pleased to state when this question was first tabled?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, I want notice.

Appointment to the posts of officers for settlement and allied work.

67. Mr. BANKIM CHANDRA DATTA (on behalf of Mr. B. K. Roy Chowdhury): Will the Hon'ble Minister in charge of the Department of Land and Land Revenue be pleased to state—

(*a*) if it is a fact that the Government of Bengal is proceeding to appoint 40 new officers for settlement and allied work;

(*b*) if it is a fact that the Government has decided to recruit all these 40 officers from the Muslim community; and

(*c*) if the above is true, will the Hon'ble Minister be pleased to state the reasons?

MINISTER in charge of the DEPARTMENT of LAND and LAND REVENUE (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) A proposal to increase the cadre of the Bengal Civil Service (Judicial and Executive) and Bengal Junior Civil Service to meet the immediate requirement of State purchase work when taken up is now under examination.

(*b*) No.

(*c*) Does not arise.

Mr. LALIT CHANDRA DAS: Will the Communal Ratio Rules apply in this case?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Certainly it will. It does apply in all cases.

Adjournment Motions.

Mr. HARIDAS MAJUMDAR: Sir, an adjournment motion stands in my name regarding the sergeant's conduct with regard to the picketing at the All-India Radio station and the Hon'ble Finance Minister promised to make a statement on the matter.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: May I make a suggestion? As the matter is under negotiation——

Mr. HARIDAS MAJUMDAR: I hope the promised statement will be——

Mr. PRESIDENT: Order, order. Let us hear what Sir Azizul Haque says.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: What I say is this: now that there has been already so much delay, not that the incident has taken place yesterday and it is going to be dealt with next day, but as there has been some delay already and in view of the further fact that the matter is already under negotiation with a view to settlement, a discussion of the matter on the floor of the House might create some difficulty in the way of a successful settlement. That is my point. If this delay had not already taken place, then the matter would have been different. That is the only point that I wish to draw your attention to, because I often feel that the less said is probably much better to settle affairs——

Mr. HARIDAS MAJUMDAR: Sir, my adjournment motion has nothing to do with that portion of the incident. So far as the boycott of the All-India Radio by the artistes is concerned, it is a question which concerns the Government of India and that is the only matter now under negotiation. My motion is with regard to the sergeants' conduct. It is a different matter altogether and has nothing to do with the boycott.

Mr. PRESIDENT: Sir, Azizul Haque's suggestion is that if the matter is discussed in the House or if the Hon'ble Minister makes a statement on subject, it might complicate matters and it might delay a settlement or might prejudicially affect the negotiations now going on.

Mr. HARIDAS MAJUMDAR: On the contrary I think it might simplify matters and will help the negotiation.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, Sir Azizul Haque's suggestion seems to be very good in the sense that attempts are being made to bring about a settlement in the matter. The Deputy Director General of All-India Radio is already here negotiating with the different parties. The Hon'ble Chief Minister is also taking the matter in hand and has been approached by the authorities of the All-India Radio to negotiate with the different parties. He is trying to contact the different elements who are organising the picketing. So it will really be helpful if no statement is made today and if the matter is not discussed. I think everybody will realise that it is desirable that a settlement should be arrived at in the matter as early as possible. So Mr. Haridas Majumdar will be doing good service to the people of Bengal if he does not press his motion and allows a settlement to be arrived at so that the negotiations might continue without anything being said which might affect the course of the negotiations.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: May I make my suggestion more clear? What I suggested is subject to Mr. Majumdar's liberty to bring in this matter again before the House if he finds that this matter still requires discussion, and till then the Chair might be pleased to waive the question of urgency. Let the matter stand over and if the question is not satisfactorily settled in the course of the present negotiations then the hon'ble member may be at liberty to table another adjournment motion on this subject. My honourable friend should be allowed to discuss the matter at any stage within a certain period of time. Incidentally, I may say that a matter like this cannot be discussed or considered without bringing in the conduct of the Radio authorities, namely, why the sergeants were there and who brought them in there, etc. These things are perhaps all under negotiation. I am speaking wholly as a citizen of Bengal and feelings may run high in a matter like this.

Mr. HARIDAS MAJUMDAR: Sir, my position is this: If this motion is not discussed now and the promised statement is not forthcoming now, then it will block the way of other adjournment motions. If the Chair allows me to move other adjournment motions in the meantime——

Mr. PRESIDENT: In fact, the Chair has the right to take up any adjournment motion that he may decide to take up if he considers it urgent. But in view of what has fallen from Sir Azizul Haque and the Hon'ble Finance Minister I hope, Mr. Majumdar, you will agree not to press your motion today. The Chair on its part will waive the question of urgency if you have occasion to raise the matter again in the near future.

Mr. HARIDAS MAJUMDAR: If you will allow me to move further adjournment motions while the present one still remains undisposed of——

Mr. PRESIDENT: Yes, that will be done.

Mr. HARIDAS MAJUMDAR: Then in that case to accommodate my other friends I am prepared to hold up my adjournment motion.

Mr. LALIT CHANDRA DAS: Sir, will you kindly allow me to move my adjournment motion? I have tabled an adjournment motion.

Mr. PRESIDENT: With regard to your adjournment motion there is one difficulty, Mr. Das. It runs as follows:—

> "That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the situation which has arisen at the high-handed conduct of the police today at 3-30 p.m. within the compound of the Legislative Building in beating some members of the public and illegally arresting and preventing an M.L.A., Mr. Jyoti Bose, from attending the meeting of the Assembly."

Now, I understand that this specific question was discussed in a way in the other House and the Hon'ble Speaker expressed certain opinion on this question. Therefore I do not think it would be proper for this House to take up this adjournment motion, because it is not the practice and it is undesirable for one House to refer to the proceedings of another House or the views expressed by the Presiding Officer of another House.

Mr. LALIT CHANDRA DAS: May I have my say, Sir?

Mr. PRESIDENT: Yes.

Mr. LALIT CHANDRA DAS: You have always taken the view, Sir, that we should not take notice of anything that happens in the other House. Our position should be that we should know nothing which happens in the other House. So we need not take any notice of what happened in the other House about this matter. My first suggestion would therefore be that nothing should be decided on the ground that certain opinion was expressed in another House on a particular motion. Whatever might have been said by the Hon'ble Speaker in the matter, has nothing to do with my motion here which refers to the high-handedness of the Police, rough-handling and arresting a member of the Legislature. It is a matter of urgent public importance and you may kindly consider whether it should be discussed in this House or not. The matter is of great public importance, it is of recent occurrence and it is urgent and so I submit that it ought to be discussed by the members of this House, because it touched the honour, respect, responsibility and duty of the members of the Legislature—Legislature covering both the Council and the Assembly. Whatever may have been said in the other place, I submit you will kindly consider the point on its merits.

Mr. PRESIDENT: In fact, I have taken all these points into consideration. I feel that it is hardly possible to discuss the matter without referring to the proceedings of the other House or to the views expressed by the Hon'ble Mr. Speaker. It is extremely desirable that we should follow the salutary Parliamentary practice of not discussing the proceedings of another Chamber or the views expressed by its presiding officer. I have therefore refused my consent to this motion.

Mr. BANKIM CHANDRA DUTT: Sir, are you applying the principle of *res judicata* here?

Mr. PRESIDENT: It is not a question of *res judicata*. It is a very salutary practice that has developed in the Houses of Parliament. As a result of long experience I may say that this practice should be followed, and I would request you to stick to it. It would be difficult for either House to function smoothly or without conflict if we deviate from this practice. So in this case I have refused consent and the matter is closed.

Mr. HARIDAS MAJUMDAR: Sir, then will you take up my adjournment motion?

Mr. PRESIDENT: What is it?

Mr. HARIDAS MAJUMDAR: It is about the holiday on the 16th August. Sir, I would like to explain my position with regard to it. It is in connection with the declaration by the Government that 16th August will be a public holiday. Sir, this Cabinet is a communal Cabinet. Practically all the members of the Cabinet are Muslims——

Mr. PRESIDENT: Mr. Majumdar, you are not expected to make a speech.

Mr. HARIDAS MAJUMDAR: No, Sir, I am only making a statement. This was a day declared by the Muslim League as "Direct Action Day". They have given no reason of course but most likely it is due to that fact

that the Muslim League Ministry of Bengal declared 16th as a public holiday. Sir, it is a partisan order and this declaration concerns the Muslims only, or to be exact, concerns the Muslims of a particular party. Therefore I think that this declaration should be cancelled at once. This cancellation is urgently necessary and unless this is done there might be communal clashes.

The Hon'ble Khan Bahadur MOHAMMED ALI: Is he going to make a speech?

Mr. HARIDAS MAJUMDAR: I am giving my reasons for moving this motion. Sir, by this declaration of holiday they will demonstrate to the world that they have the whole of Bengal behind them in this respect.

Mr. PRESIDENT: What is your grievance?

Mr. HARIDAS MAJUMDAR: There will be dislocation of public business. This is a very unreasonable order and it is urgently necessary to cancel this declaration.

Mr. PRESIDENT: May I know Government views on this matter?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, what exactly you want to know—whether this is a fit subject matter of an adjournment motion or not or——

Mr. PRESIDENT: Yes.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I submit that under the general discretion and the powers which Government possess to take steps for the purpose of preserving peace and order, Government have taken the step so as to minimise chances of such conflicts as may arise and it has been done in the interest of peace and I think this is a far better way, if I may say so, of avoiding conflicts than persons going round and throwing stones at shops or dragging people from the buses and motor cars or burning them and thereby enforce one's wish on the people. We hope that by this method the 16th of August will pass by peacefully and there will be no disturbance of any kind. I do not know whether an adjournment motion can be brought if Government pass an executive order in pursuance of the powers which are vested in them.

Mr. BIJOY SINGH NAHAR: Will there be any dislocation of transport services, such as, trams and buses?

The Hon'ble Mr. H. S. SUHRAWARDY: No orders have been passed in respect of them by the Government. That is entirely with the people running the transport services or with the workers. I do not think this is relevant. Other Governments have taken similar steps. My friends on the other side were probably rejoicing in the fact that a neighbouring Government here has also declared a public holiday in order to observe the birthday of a person who is wellknown as a leader in India. In these matters such orders are passed by the Government in their discretion.

Mr. LALIT CHANDRA DAS: Are you referring to Sind?

Mr. PRESIDENT: Order, order. You have no right to speak at this stage.

Now, usually no adjournment motions are allowed when Government take action under any powers conferred on them under any statute, provided that the exercise of the powers is in the ordinary course of administration, but, if it is extraordinary or unusual, I think the Opposition has a right to question it, and it is the Government's duty to explain under what circumstances the power has been exercised. Moreover I find that there are precendents when adjournment motions in this House were allowed though

Government exercised their statutory powers. In this view of the matter I give my consent to the adjournment motion. I shall now find out if there is any objection to the motion being moved.

Is there any objection to Mr. Haridas Majumdar moving his adjournment motion?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes.

Mr. PRESIDENT: Those members who are in support of the Motion will kindly rise in their seats.

(The requisite number of members having stood up), the honourable member has the leave of the House to move his adjournment motion, and I fix 1-15 p.m. tomorrow for the discussion of the Motion.

OFFICIAL BILLS.

The Bengal Motor Spirit Taxation (Amendment) Bill, 1946.

Mr. SECRETARY: Sir, the following message has been received from the Bengal Legislative Assembly, namely:—

Message.

"The Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, as passed by the Bengal Legislative Assembly at its meeting held on the 3rd August, 1946, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

N. AMIN,
Speaker,
Bengal Legislative Assembly."

CALCUTTA,
The 13th August, 1946.

Sir, I herewith lay on the Table the Bengal Motor Spirit Sales (Taxation) Amendment Bill, 1946, which was passed by the Bengal Legislative Assembly, at its meeting held on the 3rd August, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: Regarding this Motor Spirit Sales Taxation (Amendment) Bill, 1946, I would like to move that the Bill be taken into consideration on the 20th instant and that thereafter I would like to move that the Bill as settled in the Council be passed.

Mr. PRESIDENT: For sending amendments to the Motor Spirit Sales Taxation (Amendment) Bill, 1946, I fix the time up to 11 a.m. on Saturday, the 17th instant. It refers to the amendments to the motion that the Bill be taken into consideration and to the clauses of the Bill.

The Calcutta Rent Control Bill, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I would like to move for extension of time for submission of the report of the Select Committee on the Calcutta Rent Control Bill, 1946.

Mr. PRESIDENT: Up to what date?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: It was to be submitted today, Sir (14th August, 1946), and I have moved for an extension of time up to the 22nd instant.

Mr. PRESIDENT: Leave has been asked by the Hon'ble Minister for extension of time for submission of the report of the Select Committee on the Calcutta Rent Control Bill, 1946, up to the 22nd instant. Is it the pleasure of the House to grant such leave?

There being no objection leave is granted.

The Bengal Local Self-Government Association, (Recognition) Amendment Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I beg to move that the Bengal Local Self-Government Associations (Recognition) Amendment Bill, 1946, be taken into consideration.

Sir, this is a very short amending Bill. Under the existing provisions of the Bill the members representing local bodies who are affiliated to the provincial organisation are entitled to draw their travelling allowance from the funds of their respective local bodies but there is no provision in the Bill for travelling allowances to be drawn by representatives of the local bodies when they come to attend the meetings of the Executive Committee. For the proper working of Local Self-Government Association it is necessary that members should attend the Executive Committee meetings. Therefore this amending Bill provides to authorise the representatives of local bodies to draw their travelling allowance from the funds of their respective bodies and it has also been provided in the amending Bill that travelling allowance for more than four meetings will not be allowed to the representatives. This is a non-controversial measure and I hope the House will accept it. With these words, Sir, I commend my motion to the acceptance of the House.

Mr. PRESIDENT: Order, order. Motion moved that The Bengal Local Self-Government Associations (Recognition) Amendment Bill, 1946 be taken into consideration.

Mr. BIREN ROY: I congratulate the Hon'ble Finance Minister on his bringing forward this belated Bill. You know, Sir, when you were the Minister in charge of Local Self-Government this Bengal Local Self-Government Association (Recognition) Act was passed for the first time. At that time in 1936 you helped the Association to grow and after ten years today it has developed into a body which has brought the municipalities of Bengal to the forefront and has been able to send representatives abroad to the world municipal congresses. There has been a good deal of difficulty for the members had to meet in Calcutta which is the centre of all administrative activities and where the Association has got a central office and they were trying to get the Hon'ble Minister in charge of Local Self-Government interested in putting forward some amendments to the Act, so that members could come and meet periodically. An amendment has now been proposed in this Bill so that members will be paid their travelling allowances. But only one thing has not yet been allowed and that is the payment of a non-recurring grant to the Association by the municipal bodies for the purpose of carrying on research for development of local self-government also in the matter of primary education and also to have a library and a house of its own. We wanted Government to help us in the shape of recurring grants of 4 or 5 thousand rupees annually as had been done in 1937 or 1938 by the Governments of Sind and Bombay. I could not give the House an exact history of the progress of these two local self-government associations in those two provinces but due to war perhaps they stopped functioning at a time when there was great difficulty in finance. The Bengal Municipal Association has, however, been carrying on its annual conferences year after year in spite of all difficulties and was also consulted by the Bengal Administration Enquiry Committee presided over by Sir Archibald Rowlands and many of its suggestions were accepted as will be found from

the report about the grouping of municipalities in the suburbs of Calcutta and in the industrial areas and also in regard to other matters, namely, the behaviour of the I.C.S. and other district officers in relation to Local Self-Government administrators and when dealing with an ordinary citizen. There have been caustic remarks in the Enquiry Committee's Report on this matter but nothing has since been done by the Government to implement these recommendations. This one lacuna could have been removed in this Bill, but perhaps this Bill was prepared when the Hon'ble Khan Bahadur Jalaluddin Ahmed was the Minister and so he did not introduce anything new but I think the present Hon'ble Minister will be pleased to take up this suggestion and bring in a fuller amending Bill during the next session this year or even next year by way of amendment. Mr. Morgan has tabled an amendment for a provision of travelling allowance being paid for not more than four meetings in any one year. Perhaps this is already there, for more than four meetings are not generally held in any one year. We do not want more than four meetings to be paid for in travelling allowance out of municipal funds because most municipal administrators would hardly want their resources to be tapped in that way. With these words, Sir, I give my support to this very welcome measure which our young friend and Minister has brought before the House.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I thank Mr. Biren Roy for all the very kind words he said. You will remember that this Bill was sponsored by you in the Legislature at the instance and request of my friend Mr. Biren Roy and at that time this Act was applicable only to the Bengal Municipal Association. Now there is another association, namely, the Bengal District Board Association. Therefore this Bill will be applicable to two Associations. The Local Self-Government Associations (Recognition) Amendment Bill, 1946, will be applicable to these bodies. The suggestions made by Mr. Biren Roy will be examined by the Government but I cannot at this stage make any commitment. I am glad that members do not oppose the Bill.

Mr. PRESIDENT: The question before the House is that the Bengal Local Self-Government Associations (Recognition) Amendment Bill 1946, be taken into consideration.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 1 stand part of the Bill.

The question before the House is that clause 1 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 2 stand part of the Bill.

Mr. C. MORGAN: Sir, I beg to move that in clause 2 of the Bill, for the proposed proviso to section 4 of the Bengal Local-Self-Government Associations (Recognition) Act, 1936, the following proviso be substituted:—

"Provided that the number of meetings of an executive committee for attending which a member of a local authority may be paid travelling expenses under this section, shall not exceed four in one year".

I am not raising any objection to the passing of this Bill. But the wording of the proviso is very ambiguous and it may read to mean—if a member attended more than four meetings he would not get *any* travelling allowance at all. So in order to clear the meaning of the proviso I have taken upon myself the task of putting in this amendment which reads—"that the number of meetings of an executive committee for attending which a member of a local authority may be paid travelling expenses under this section, shall not exceed four in one year." Now, Sir, if you will read the proviso of the Bill, you will find that it is very ambiguous. It might

quite likely be read to mean that if you are so ambitious as to attend more than four meetings you will not get any travelling allowance. So I hope the Hon'ble Minister will accept the amendment to make the meaning more clear.

Mr. PRESIDENT: Amendment moved that in clause 2 of the Bill, for the proposed proviso to section 4 of the Bengal Local Self-Government Associations (Recognition) Act, 1936, the following proviso be substituted, namely:—

"Provided that the number of meetings of an executive committee for attending which a member of a local authority may be paid travelling expenses under this section, shall not exceed four in one year."

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, there is no ambiguity in the Amending Bill which we have placed before the House. The meaning of the proviso is quite clear that travelling allowance can be drawn to the maximum limit of four meetings. In other words, representatives can draw travelling allowance for attending 1, 2, 3 and 4 meetings and that is the maximum. The funds of the local bodies which a member might represent can pay him the travelling allowances if he attends more than four meetings. So I hope the honourable member will not press for his amendment.

Mr. C. MORGAN: Sir, I would like to tell the Hon'ble Minister that we have examined the proviso and found it ambiguous. So I have tabled the amendment which I find is better than the proviso of the Amending Bill. I can withdraw the amendment but the fact remains that the proviso as worded is ambiguous. I would ask leave of the House to withdraw my motion. But it is quite open to different interpretation. The amendment that I have put says that a member shall be paid travelling expenses for four meetings. But if the Bill stands as it is then according to the interpretation a member, if he attends more than 4 meetings, may not get any travelling allowance.

Mr. BIREN ROY: Sir, Mr. Morgan rightly points out the ambiguity. Because the proviso says that "Provided that travelling expenses shall not be paid to a member of a local authority for attending in one year more than four meetings of an executive committee referred to in this section." The auditor may say that as he had attended more than four meetings he shall not be paid any travelling expenses. So, if Mr. Morgan's amendment is accepted then it would mean that a representative may attend more than four meetings but he need not be paid for more than four meetings.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, if we read the main Bill we find that "Notwithstanding anything contained in any other Act, any member of a local authority which contributes to the funds of an Association recognised under section 2 who attends, as a representative of such local authority, a general meeting of the Association held in Bengal may, subject to the provisions of any rules made under section 5, be paid from the fund of such local authority the travelling expenses incurred by him in attending the meeting." Therefore this is to be read along with the Government motion. If we do that then it will be noticed that there is no ambiguity in the motion.

Sir MOHAMMED AZIZUL HAQUE, Khan Bahadur: I think there should be some sort of punishment for those representatives who would claim more than four days' travelling expenses.

Mr. C. MORGAN: I do not see any reason why Government should not prefer to accept an amendment which clears the point further. There is a clear-cut proviso in my amendment.

Mr. PRESIDENT: Then you stick to your amendment.

Mr. C. MORGAN: I would like to.

Mr. ABDULLA-AL-MAHMUD: As suggested by Mr. Azizul Haque, there should be some check for any member who tries to draw more than four days travelling expenses. The question then arises whether he is at all entitled to get any travelling allowance for any meeting at all.

The Hon'ble Khan Bahadur MOHAMMED ALI: May I move a short-notice amendment, Sir, which will still further clarify the position? That is this. In the proposed proviso to section 4 of the Bengal Local Self-Government Associations (Recognition) Act, 1936, in line 3, for the words, "more than" the words, "any meeting in excess of" be substituted.

Mr. BIJOY SINGH NAHAR: Sir, I have to clear one point regarding Mr. Morgan's amendment. According to his amendment not more than four meetings can be called by the executive committee for purposes of paying travelling allowance to members but the Government's Bill is to the effect that even if there be more than four meetings in one year the member of a local authority attending such meetings will not be paid for more than four meetings from the coffers of that local body.

The Hon'ble Khan Bahadur MOHAMMED ALI: The honourable member Mr. Nahar has seized the point in our amendment. Mr. Morgan's amendment is to the effect that no Executive Committee can call more than four meetings in one year by which he limits the number of meetings, whereas if my amendment is accepted it means that the representatives cannot draw travelling allowance for attending more than four meetings but the Association has full liberty to call six or seven meetings but if in excess of four the members will have to bear their own expenses.

Mr. GEORGE MORGAN: My friend is entirely wrong He has apparently not read my amendment carefully "Provided that the number of meetings of an executive committee *for attending which a member of a local authority may be paid travelling expenses under this section*, shall not exceed four in one year." There is no limit to the number of meetings of the Executive Committee.

Mr. PRESIDENT: I have allowed some latitude both to you (Mr. Morgan) and the Hon'ble Minister (The Hon'ble Khan Bahadur Mohammed Ali) to speak more than once on this subject. I wish that Government had deputed someone else to speak on their behalf.

Mr. ABDULLAH-AL-MAHMUD: I would like to know whether Government insist on their amendment or are adopting Mr. Morgan's amendment. We are not in a position to know.

The Hon'ble Khan Bahadur MOHAMMED ALI: Government would like their short-notice amendment. I move the short-notice amendment: that in the proposed proviso to section 4 of the Bengal Local Self-Government Associations (Recognition) Act, 1936, in line 3, for the words, "more than" the words, "any meeting in excess of" be substituted.

Mr. BIJOY SINGH NAHAR: On a point of order, Sir. Can the Hon'ble Minister who moved the main motion move this amendment?

Mr. PRESIDENT: You are quite right; it will not be in order. Someone else should move it.

Mr. ABDUL RASHID: Sir, I beg to move that in the proposed proviso to section 4 of the Bengal Local Self-Government Associations (Recognition) Act, 1936, in line 3, for the words, "more than" the words, "any meeting in excess of" be substituted.

Mr. PRESIDENT: Mr Morgan, may I make a suggestion? Will you kindly consider the amendment suggested by the Government so that if you are satisfied with it you may withdraw your amendment and there will be only one amendment before the House.

Mr. GEORGE MORGAN: I have not heard it yet. As long as it clarifies the position and removes the ambiguity pointed out by me I shall have no objection to withdraw my amendment. In any case, Sir, I have moved my amendment and the Government can move theirs.

Mr. PRESIDENT: Amendment moved: that in the Bengal Local Self-Government Associations (Recognition) Amendment Bill, 1946, in the proposed proviso to section 4 of the Bengal Local Self-Government Associations (Recognition) Amendment Act, 1936, in line 3, for the words "more than" the words "any meeting in excess of" should be substituted.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: May I ask Mr. Morgan to consider this draft? I am indifferent as to which one is accepted, but apparently what Government now say exactly meets Mr. Morgan's point of view. Government say "provided that travelling allowance shall not be paid"——

Mr. PRESIDENT: I propose to adjourn the House for ten minutes for discussion of the matter.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: All right, Sir.

Mr. PRESIDENT: The House stands adjourned for ten minutes.

(The house then adjourned for ten minutes.)

After adjournment.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, we accept Mr. Morgan's amendment.

Mr. PRESIDENT: The question before the House is that in clause 2 of the Bill, for the proposed proviso to section 4 of the Bengal Local Self-Government Associations (Recognition) Act, 1936, the following proviso be substituted, namely:—

> "Provided that the number of meetings of an executive committee for attending which a member of a local authority may be paid travelling expenses under this section, shall not exceed four in one year."

The question was put and agreed to.

Mr. PRESIDENT: The question before the House is that clause 2 as amended stand part of the Bill.

The question was put and agreed to.

Mr. PRESIDENT: The question before the House is that the Preamble and Title stand part of the Bill.

The question was put and agreed to.

The Cattle Trespass (Bengal Amendment) Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: I beg to move that the Cattle Trespass——

Mr. PRESIDENT: Do you not propose to move the third reading of the Associations Bill today?

The Hon'ble Khan Bahadur MOHAMMED ALI: No, Sir, not today, but tomorrow.

I beg to move that the Cattle Trespass (Bengal Amendment) Bill, 1946, be taken into consideration.

Sir, the object of this amending Bill is to give power to the Chairman of Municipalities and Presidents of the Union Boards to conduct sales of unclaimed cattle impounded within municipal areas and areas subject to the jurisdiction of Union Boards, respectively, and to authorise the Chairmen or Presidents so appointed to delegate their functions in this respect to their Vice-Chairmen or Vice-Presidents, as the case may be. The Bill also seeks to authorise the District Magistrate to delegate some of his powers under the Act to subordinate Magistrates. Sir, the House will realise that the District Magistrate and the police officers have now various important duties to perform—duties of a multifarious nature—in connection with the Civil Supplies Department and other departments that have come into existence. These departments are giving the District Officers and the police a lot of work in connection with management and enforcement and it is desirable that there should be provision in this Bill to authorise District Magistrates to delegate some of their powers to their subordinate Magistrates, also to authorise Chairmen of Municipalities and Presidents of Union Boards to conduct sales of impounded cattle. It is a non-controversial Bill and I hope the House will accept it.

Mr. PRESIDENT: Motion moved that the Cattle Trespass (Bengal Amendment) Bill, 1946, be taken into consideration.

Mr. GEORGE MORGAN: Mr. President, Sir, I support the motion for consideration. But, if I may say so, I may point out a very curious thing. Clause 3, sub-clause (2), says "A Chairman or President so appointed—shall not directly or indirectly, purchase any cattle at a sale under this Act". That of course is very difficult. We know that there are such things as *benami* transactions and we cannot trace them. In section 19 of the Cattle Trespass Act of 1871 it is laid down—

> "No officer of police or other officer or pound-keeper appointed under the provisions herein contained shall, directly or indirectly, purchase any cattle at a sale under this Act".

In section 27 of the Act of 1871 it is laid down that any pound-keeper releasing or purchasing a cattle will be penalised.

What is the good of having a clause in the legislation that the people shall not do this or shall do that, when there is no penalty attached to it. I may draw attention of the Government to section 27 wherein no penalty is attached to any one except the pound-keeper. In section 19 it is stated that no officer of the Police or any other officers shall directly or indirectly purchase the cattle. But no penalty is attached whereas in the case of the pound-keeper there is a penalty. Sir, with these remarks I support the motion.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I may say in this respect that under clause 19 no officer of police or other officer shall directly or indirectly purchase any cattle and the reason why no penalty is provided in the case of these officers is that they are Government servants and it is within the competence of Government to take any action against these officers departmentally in case of such illegal purchase. So they do not come under the mischief of this penalty. On the other hand, a pound-keeper may not be a Government officer and unless a penalty is provided he cannot be dealt with.

Mr. PRESIDENT: The question before the House is that the Cattle Trespass (Bengal Amendment) Bill, 1946, be taken into consideration.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 1 stand part of the Bill.

The question before the House is that clause 1 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 2 stand part of the Bill.

The question before the House is that clause 2 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 3 stand part of the Bill.

The question before the House is that clause 3 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 4 stand part of the Bill.

The question before the House is that clause 4 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Title and Preamble be added to the Bill.

The question before the House is that the Title and Preamble be added to the Bill.

The motion was put and agreed to.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I beg to move that the Cattle Trespass (Bengal Amendment) Bill, 1946, as settled in the Council be passed.

Mr. PRESIDENT: Motion moved that the Cattle Trespass (Bengal Amendment) Bill, 1946, as settled in the Council be passed.

The question before the House is that the Cattle Trespass (Bengal Amendment) Bill, 1946, as settled in the Council be passed.

The motion was put and agreed to.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, before you take up the next Bill, I would like to draw your attention to a circular issued by your office regarding the Bengal Motor Spirit Sales Taxation (Amendment) Act, 1945. In the Statement of Objects and Reasons it has been stated that the tax has been raised "from three annas to eight annas and a half per gallon". I think there has been some mistake. It has perhaps been copied from the original Bill but since then it has been amended and the tax is now sought to be raised from 3 annas to 6 annas.

Mr. PRESIDENT: We shall look into it afterwards.

The Bengal Dentists (Amendment) Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I beg to move that the Bengal Dentists (Amendment) Bill, 1946, be taken into consideration.

Since the passing of the Dentists Act in 1939 which came into force in May, 1940, the time allowed to persons who have been *bona fide* engaged in the practice of dentistry from before the commencement of the said Act to have their names registered has already expired. There are still quite a good number of such dental practitioners who have not yet had their names registered. With a view to giving such dental practitioners a further opportunity of having their names registered, it is proposed to provide that the Bengal Dental Board may permit the registration of a person who has been *bona fide* engaged in the practice of dentistry from before the commencement of the said Act, if such person not later than 31st May, 1950, passes a special examination to be held by the State Medical Faculty of Bengal for this purpose.

Mr. PRESIDENT: Motion moved that the Bengal Dentists (Amendment) Bill, 1946, be taken into consideration.

The question before the House is that the Bengal Dentists (Amendment) Bill, 1946, be taken into consideration.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 1 stand part of the Bill.

Mr. L. P. S. BOURNE: Mr. President, Sir, I am glad that another opportunity is being given to the unregistered dentists to register themselves under the Dentists Act and we on these two benches are entirely in agreement with the objects and reasons of this amending Bill. I have really no comments to make but merely to tell you and the House that we support this Bill.

Mr. PRESIDENT: Order, Order. The question before the House is that Clause 1 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 2 stand part of the Bill.

The question before the House is that Clause 2 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: The Preamble and the Title stand part of the Bill.

The question before the House is that the Preamble and the Title stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Khan Bahadur MOHAMMED ALI: I beg to move that the Bengal Dentists (Amendment) Bill, 1946, as settled in the Council be passed.

Mr. BIJOY SINGH NAHAR: Sir, I rise to oppose this Bill. This Bill provides for a further time, namely, up to the 31st day of May, 1950, within which those dental practitioners who are as yet unregistered under the Act of 1939 are to register themselves. I cannot understand why these dentists could not register themselves since the 1939 Act was passed and why the Government want to give further time to these quacks, they have not explained up to now. So I would oppose the Bill.

The Hon'ble Khan Bahadur MOHAMMED ALI: We do not want that these quacks should continue but the object of this Bill is to give them an opportunity to pass the examination which is to be held by the State Medical Faculty of Bengal. It is not Government's intention that these quacks should practise without registering themselves and continue to do so. But we want to extend the time so that they may pass the examination and have their names registered under the provisions of this Bill. They have got to pass the Examination which is to be held by the State Medical Faculty of Bengal.

Mr. BIJOY SINGH NAHAR: In the meantime they will be allowed to practice before passing the examination.

Mr. LALIT CHANDRA DAS: The Hon'ble Finance Minister should have waited till other members gave out their views before the passing of the Bill but he is replying to each member. Probably he thought that others were not interested in the Bill or on the subject. My friend Mr. Nahar has already opposed the motion for the passing of the Bill. One question may be considered. This is 1946 and the Hon'ble Minister is extending the period within which the unregistered dentists may register themselves, up to the end of May, 1950. In the meantime these people without passing any examination will continue their nefarious trade and

do mischief to many people. No provision has been made to prevent them from practising before passing the examination. If it is the honest intention of the Government, as a matter of fact, that the unqualified dentists should be given an opportunity to qualify themselves by passing the standards fixed by the State Medical Faculty of Bengal, then, Sir, provision should have been made just not to allow them to practise in the meantime, *i.e.*, before passing the examination. So long as that provision has not been made Mr. Nahar was right in opposing this Bill.

Dr. KUMUD SANKAR ROY: Mr. President, Sir I am not quite familiar with the different provisions in the Dentists Registration Act, but I am familiar with the Registration of Medical Practitioners Act not only in this province but also in various other countries. So far as I am aware, they are Registration of Medical Practitioners Act only, and they do this much only, namely, the registrar enters the names of those persons who are properly qualified, but there is nothing in the Act to prevent unqualified practitioners from practising. Even in Great Britain the Medical Registration Act provides that the register shall contain a list of those persons who are qualified so that the public will know who are qualified to practise, but it does not prevent any unqualified person from practising; that is done probably by some other Act. I do not know of the existence either in Great Britain or in any other country of such an Act as is sought to be done here. I do not know what is the provision in the Bengal Dentists Bill. In the absence of the original Act before me I must speak subject to correction. I suppose the Act follows the lines of other Acts, namely, the Registration of Medical Practitioners Act under which a medical practitioners' register is maintained. If that is so, then neither the present Act nor the amending Bill, neither of these, will prevent any quacks from practising. The point raised by Mr. Bijoy Singh Nahar and Mr. Lalit Chandra Das is that they do not desire that anybody who is not a qualified dentist or any one whose name is not registered under the Act should be allowed to practise. In Bombay in the amended Medical Practitioners Act they have provided three kinds of registration, Ayurvedic, Unani and medical practitioners, and they have given sufficient latitude for the enrolment of any one who is practising either of these three different systems to register themselves and anyone whose name is not registered in that register is liable to a fine if he is found practising—I forget the amount, it may be about Rs. 500 or so. A fine has been provided in the Act by which none is allowed to practise whose name does not appear in the register. But I do not know if such a provision is in this Bill.

Mr. ABDULLAH-AL-MAHMUD: Sir, what Dr. Roy has said is quite sound from the point of view that no one should be allowed to practise who is not properly qualified. And my other two friends have also suggested that quacks should not be allowed to practise in the meantime. But I may say, Sir, that the present Bill suggests nothing of the kind. Its object is only to give an opportunity to those dentists who have not been able to register themselves under the Act of 1939. And it must be noted that unless they can pass the prescribed examination they cannot get themselves so registered. After all these men are going to be given an opportunity to register their names: that's all the present Act provides and nothing else. Government may come forward with another Bill incorporating Dr. Roy's suggestion if they consider necessary on merits, and that is a desirable one, but no such thing is contemplated in the present Bill. Therefore the argument advanced by the opposition does not apply in the present case.

Sir, I would refer to what Dr. Roy has said, namely, that unless the section is changed the dental surgeons cannot be forced to give up their practice.

Mr. PRESIDENT: The question before the House is that the Bengal Dentists (Amendment) Bill, 1946, as settled in the Council be passed.

The motion was put and agreed to.

Mr. PRESIDENT: With regard to the point raised by Mr. Mohammed Ali in connection with some error in the Motor Spirit Sales Tax Bill, I may inform the House that the Bengal Legislative Council office simply copied the message as transmitted from the other House.

Mr. ABDULLAH-AL MAHMUD: Sir, with regard to the taking up for consideration of that Bill, may I request you to take it up on the 21st instead of on the 20th because a large number of members here are of opinion that it would be convenient if it is taken up on the 21st instead of on the 20th. I hope the House will have no objection.

Mr. PRESIDENT: If Government have no objection I do not think there is any difficulty in taking it up on the 21st instead of on the 20th. I think there is no objection.

The Hon'ble Khan Bahadur MOHAMMED ALI: No, Sir.

Mr. PRESIDENT: Then it will be taken up on the 21st. The House stands adjourned till 1-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 1-15 p.m. on Thursday, the 15th August, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 14th August, 1946:—

(1) Mr. Kamini Kumar Dutta,
(2) Khan Bahadur Sk. Fazal Ellahi,
(3) Mr. Latafat Hussain,
(4) Mr. Mangturam Jaipuria,
(5) Mr. Humayun Z. A. Kabir,
(6) Maulana Md. Akrum Khan,
(7) Mr. Nagendra Nath Mahalanobish,
(8) Khan Bahadur Mukhlesar Rahman,
(9) Mr. Birendra Kishore Roy Chowdhury,
(10) Mr. Satish Ch. Sen, and
(11) Mr. F. C. J. Steuart.

BGP-46/7-8101A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 14.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday the 15th August, 1946, at 1-15 p.m., being the 14th day of the First Session of 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Extra police arrangement in the Legislative House.

Mr. LALIT CHANDRA DAS: Sir, may I mention one thing. Today when we were coming to the Legislative Council Chamber we found a show of police force all along the gates and in the garden inside the compound, also in the Chamber, in the lobbies, in every nook and corner of this building with revolvers in hand. Now, if the Commissioner of Police wants to post police he can do so outside our gates or outside our compound. The police could be posted outside our compound to prevent the demonstrators from coming inside. But why there should be police inside the precincts of this House. We do not grudge any such force for the maintenance of law and order but they should not come inside our compound. That is all I want to mention and I hope you will take proper steps to see that the sacred precincts of the Legislative Building is not violated in any way.

Mr. PRESIDENT: Mr. Das, yesterday it was conveyed to me that the Commissioner of Police had orders from Government to mount guard in the compound of this House from 9 a.m. on Thursday, the 15th August, to keep out demonstrators from entering the compound and that M.L.As. and M.L.Cs. would be admitted on identification by arrangement with the Speaker and the President. That is all I know about it and nothing more. Now, if it is the desire of the House that there should be no police within the precincts of this building while the Council is in session, it is for the House to express its opinion definitely on the question and that opinion shall be conveyed to the Government. The Chair is not prepared to take any responsibility in the matter, because maintenance of law and order is not the concern of the Chair.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, may I narrate my sad experience of yesterday? I came a little earlier yesterday to the House and saw a large crowd concentrated inside the compound and I felt great difficulty in coming inside the compound. It is a matter of very great regret that the Government had not taken any steps at least for the purpose of giving protection to the members of this House wherein the utmost precaution is necessary to see that the members can exercise their full freedom without any sense of fear or coercion from anybody and this has not been adequtely protected by the Government. It was the second occasion on which the House was reduced to such a position yesterday. Therefore, Sir, I want to know from you, what steps you are taking in order to see that the member of the Legislature are not in any way, either morally or physically, restrained from exercising their duty without any undue influence or coercion from any quarter.

Mr. PRESIDENT: Mr. Hamidul Huq Chowdhury will realise that there is considerable divergence of opinion on this question as is apparent from what he stated and what the Deputy Leader of the Opposition has said. The

Deputy Leader of the Opposition regretted that there was police force in the precincts of the House. Let the House definitely express its opinion as to whether or not it wants protection from the police. If the House expresses a definite opinion in the matter one way or the other, it will be conveyed to the Government and certainly Government's assistance will be sought in that respect.

Mr. BIREN ROY: May I speak a few words on this subject, Sir? When we were coming into the compound to-day—I was unfortunately a little bit earlier—we were actually stopped at the gate and after we explained who we were one of the chaprasis came and he opened the gate for us. When I came into the premises itself I found that all the seats which the members should use—and that is the privilege of the members, I take it—were occupied by police sergeants and policemen and even the tea rooms were all occupied by them and most of the tea perhaps is consumed by them. I would request that this being the privilege of the members—the tea rooms and the lobby where the members frequent should not at least be used by the police as the members cannot sit with them as it is derogatory to the dignity of the members of the House. We do not want any protection inside the premises. You, Sir, are the custodian of the privileges of the members and you can have your own watch and ward staff for purposes of protection. If the police are to be posted they may be posted outside the precincts of this Council Chamber.

Mr. PRESIDENT: Well, Mr. Roy, perhaps you know that it is the Hon'ble Speaker of the other House who is in charge of the Assembly premises and not the President of this House. Now as regards the point of privilege which was raised by you I would certainly see that the privileges of the members are not in any way infringed.

As regards Mr. Haridas Majumdar's adjournment motion I may inform honourable members that the mover of the motion may take 20 minutes to speak on it and the Hon'ble Minister may take 20 minutes to reply to the debate. Other members get only 10 minutes each.

Mr. HARIDAS MAJUMDAR: What happens, Sir, to the police force stationed within the premises of the Chamber. They should be ordered to go out of the compound of the building and indeed I think, Sir, the Hon'ble President has every right to do so when this House is in session.

Mr. PRESIDENT: May I just draw your attention to rule 118 of the Council Procedure Rules. It reads: "The admission to the Council Chamber of (1) visitors to the visitors gallery, (2) representatives of the Press to the Press gallery, and (3) officials during the sittings of the Council shall be regulated in accordance with orders made by the President after consultation with the Governor". These are the powers conferred on me under the Rules.

Mr. HARIDAS MAJUMDAR: Are you going to consult the Governor in regard to police arrangements within the precincts and outside, Sir?

Mr. PRESIDENT: In this matter Mr. Majumdar, as I have said, there should be a definite expression of opinion by the honourable members of this House as to what you want, whether you want the police to be withdrawn from the precincts of this building or not. So long there is no definite expression of opinion by the honourable members, I am in a difficult position specially in view of the considerable divergence of opinion on the subject amongst the honourable members. I am the mouthpiece of the House and I must voice the opinion of the House and not of its individual members.

Mr. HARIDAS MAJUMDAR: But within the precincts or compound of this building there should be no police force.

Mr. PRESIDENT: Mr. Majumdar, I think the best course will be to move a motion and to make this suggestion.

Mr. LALIT CHANDRA DAS: Then, Sir, I would like to move an adjournment motion just now on the subject, as it was I who first mentioned the matter to the Chair.

Mr. PRESIDENT: But surely not now.

Mr. ABDULLAH-AL MAHMUD: Then tomorrow.

Mr. LALIT CHANDRA DAS: But tomorrow is a holiday. Can't it be done today, Sir?

Mr. PRESIDENT: How can it be done today when there is already one adjournment motion on the agenda?

Mr. ABDULLAH-AL MAHMUD: This may be done next week.

Khan Sahib WAHIDUZZAMAN: Perhaps it may be taken up today if Mr. Haridas Majumdar withdraws his adjournment motion of today, which does not appear to be of great importance.

Mr. HAMIDUL HUQ CHOWDHURY: I want to say that you, Sir, are not so powerless as you think you are. You can enforce any decision of your own which you think to be necessary to be passed in order to protect the rights and privileges of the members of this House. There are ways and means.

Mr. PRESIDENT: Mr. Hamidul Huq Chowdhury, you must realise that honourable members themselves must first of all come to an agreement as regards the rights that have been infringed. You say that no rights have been infringed by the police coming within the compound whereas your friends on the other side think the other way. So there exists a difference of opinion in the House among the members themselves and unless there is a definite expression of views one way or the other I do not know what opinion I am to convey to proper quarters.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, in your hand are concentrated the rights of this House. So far as the opinion that I expressed and the opinion expressed by the other side is concerned I find that there has been a little misunderstanding. My friends have in a general way raised the question of police posting in and around the House. I raised the question that members must not be molested at the time of entering the House, but whether the police should be posted outside or in the building—that is a narrower or smaller issue which may not be mixed up with the question of protection from interference by outsiders.

Mr. PRESIDENT: Of course I agree that the honourable members must not be molested.

Mr. LALIT CHANDRA DAS: Sir, the question of molestation does not arise but care must be taken to see that the sanctity of the House and of the Chamber be not invaded by any outsider. If Government think that they should post police officers outside the gates and thus prevent any outsider from coming in, we have no objection. But we object to the presence of the police within the building or within the Chamber itself. My friend Mr. Hamidul Huq Chowdhury became very angry because on account of the crowd he found some difficulty in entering the building. That should not be any reason for supporting the presence of the police within the compound. What I say is this: let Government arrange to post the police in any way they like, but that must not be within the building.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, whatever steps Government have taken in the matter have been taken in the interest and security of the honourable members of the House. I shall be very glad to have the opinion of the House regarding the steps taken and I would certainly abide or attempt to abide by their wishes. There is no doubt about it that you, Sir, have complete power and considerable influence over the Government and your wishes even apart from the wishes of the House will have the greatest amount of consideration at the hands of Government. But I agree with you that it would be better to have a definite opinion of the House on this matter, and I would welcome an expression of such opinion, because what we have done is not for the prestige of the Government but for the sake of the honourable members themselves. If, however, they desire to be molested, if they desire to be obstructed, if they desire the House or the building to be turned into a bear-garden, we cannot help.

Mr. BIJOY SINGH NAHAR: May I inform the Hon'ble Chief Minister that the police was sitting in the lobbies and in the members' seats? Was that not a misuse of their power?

The Hon'ble Mr. H. S. SUHRAWARDY: This has been brought to my notice just now and suitable action will be taken: I can assure you of that. It is quite a different thing from the point of view expressed before.

Mr. SATIS CHANDRA SEN: I do not understand, Sir, why there has been so much heat over this question of putting police within the compound. Our experience shows that it is sometimes necessary to post police inside the compound, because we are sometimes obstructed by the police as also by outsiders. What I think is a reasonable request to be made is that the police officers may come into the precincts of the compound but it is certainly not desirable that they should occupy the lobby or chairs inside the building. So can there not be any compromise in this respect?

The Hon'ble Mr. H. S. SUHRAWARDY: On this point I may say that it was never intended that the police posted should occupy the lobby or seats in the rooms. They are posted round about the building. But they should be unobtrusive and steps will be taken accordingly not to make their presence prominent.

Mr. PRESIDENT: We have got an assurance from the Hon'ble Chief Minister that so far as the posting of the police within the precincts of the compound is concerned he will see that they should not in any way cause inconvenience to the honourable members within the compound. As regards the general question a date will have to be fixed later when the members should express their opinion whether they would like the police force to enter the compound or precincts of the buildings or not. The general question cannot be taken up to-day as there is another adjournment motion.

Mr. LALIT CHANDRA DAS: Yes, Sir, we will discuss it on another day.

Adjournment motion.

Mr. HARIDAS MAJUMDAR: May I, Sir, move my adjournment motion?

Mr. PRESIDENT: Yes.

Mr. HARIDAS MAZUMDAR: Sir, I beg to move that this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the order of the Government of Bengal declaring 16th August 1946 as a public holiday.

Sir, I have stated on the floor of this House on more than one occasion that the Cabinet is suffering from a bitter communal complex. This is a communal Cabinet composed of persons who are practically out of tune with

the general electorate—Caste Hindus and Scheduled Castes, Christians and Anglo-Indians. Sir, I know the practice prevailing in the Secretariat that in course of this day-to-day administration His Excellency does not interfere and a public holiday is generally declared by the Hon'ble Finance Minister without any direct knowledge and consent of His Excellency. And this case may not be an exception to the general practice or convention. This Cabinet, Sir, has taken advantage of this situation for its party ends.

Sir, what are the reasons for this unprecedented action on the part of the League Ministry? To my mind they took a cue from the Sind Ministry and they wanted not to lag behind the precarious League Ministry of the desert of Sind. Sir, here in Bengal they have recruited good advisers and patrons of the League from the ranks of the ex-manager of Dacca Nawab Estate so that the authorities sitting on the top may be kept advised in accordance with the wishes of their League favourites--

The Hon'ble Mr. H. S. SUHRAWARDY: What are you talking about!

Mr. HARIDAS MAJUMDAR: I am talking about League favourites.

Mr. PRESIDENT: It is better that you avoid personal reflections.

Mr. HARIDAS MAJUMDAR: Sir, I am saying how they are utilising these League favourites for their own ends. "Righteousness exalteth a nation" said the late Lord Ripon whose name as one of the beneficent Viceroys that came to India is a household word in Bengal and is still borne by one of our most popular colleges founded by the late Sir Surendra Nath Banerjee. When British members of the Civil Service forget the true interests of the dumb millions placed under their care and ally themselves with self-seeking communalists they prove false to the race of good British administrators like Lord Northbrooke, Lord Cornwallis, Lord Bentinck, Lord Canning, Sir Henry Cotton, Sir George Campbell and Sir William Duke, to name only a few who spent the best years of their lives in India and always had the welfare of this country at heart. British rule would not have lasted here so long but for these noble men and it has become so unpopular today because many Britons coming out to India in these days are shortsighted and think that they can remain here long by playing one community against the other. Sir, I should like to say that as regards the British industrialists and businessmen if they can make two blades of corn grow where only one did before, they are welcome. If their motive be exploitation by unjust means, we will show them no quarters The present motion is an acid test of their sincerity. Why should banks, offices, workshops be closed while more than half the population of the province consisting of Hindus, Nationalist Muslims, Indian Christians and Anglo-Indians do not subscribe to the creed of the Muslim League and do not believe in non-participation in the Viceroy's offer considered good enough by the Congress? The action of the Ministry shows to what length it may go in using the Government machinery to further its own party ends. This unabashed impudence is shocking. This is of a piece with communal activities which want to control even the transfer of sub-registrars keeping all healthy stations for Muslims. The Rowlands Committee had to record its disapproval of such interference. Mr. Ahmad Ali, the editor of the *Nava Yuga*, has openly stated in a public meeting in the University Institute Hall, Calcutta, that sugar is denied to Nationalist Muslims in villages during the Ramjan fast. How long will the British members of the legislature aid and abet this seizure of the administrative power by a party caucus to further its own ends?

Sir, fortifying their position in the Secretariat they are fighting the British Government by declaring "Direct Action Day" with a sword not of steel but of Bengal bamboo. Sir, they know in their heart of hearts that not only Hindus but large sections of Muslims also would not participate in their demonstration for Direct Action against British Government. They

have therefore designed this method of coercion by forcing the hands of the industrialists and businessmen including bankers, lawyers and consumers in general to take a holiday only to make it appear before the world that Bengal as a whole has sympathy with their plan and programme for attaining Pakistan even if they lead to Gorosthan as in 1943 where unlike Sind more than 50 per cent. of the people are against uneconomic or if I may be permitted to coin a new term unnational plan. Sir, Mr. Suhrawardy yesterday told this House that they had taken this step only to minimise the chances of bloodshed and communal clashes which they apprehend their demonstrations might bring about-

Mr. PRESIDENT: Order, order. It has just been brought to my notice that the two reporters who are expected to take down only speeches in Bengali are reporting the speeches. They should not take down speeches in any other language. They have been lent by the Government for taking down Bengali speeches here. They are not expected to take down any speech which is not in Bengali. They are taking down speeches which are not in Bengali and this is very wrong. I would ask them to leave this Chamber.

Mr. SULTANUDDIN AHMED: They should be asked to leave their notes. (The Bengali reporters left the Chamber.)

Mr. HARIDAS MAJUMDAR: Sir, it is a funny argument, the worst irresponsible utterances falling from the lips of a Chief Minister. This, however, discloses a very important fact to which I draw the attention of His Excellency of the Governor of the province. The Cabinet as formed under His Excellency's guidance has practically distranchised half the population of Bengal. The policy and programme that is being followed by the present Cabinet are against the wishes of a majority of the people, so much so that the Cabinet had to take such an extreme measure to paralyse the peaceful activities of the people of the land, just to avoid goondaism of a few street ruffians. And who are they? Sir, may I pertinently enquire what is the economic loss of the province by this compulsory closing of the normal business and avocations of the people? Do the Hon'ble Ministers lose the day's salary for this party fad and fun? Do these gentlemen draw their salary while they are away from their station in the Province to attend League meetings at Bombay and Karachi? The poor tax-payers who are bowed down under the dead weight of a deficit budget will wait for a reply. "Others may suffer we will not" Sir, this is their motto and under the inspiration of this jolly merry principle they have declared a public holiday without realising for a moment the implications of their conduct, the dire necessity of the poor day labourers and the total economic loss to the commercial firms and the Government concerned. Sir, may I further enquire if Pandit Nehru takes in a Nationalist Muslim in the Interim Government and as a result Mr. Jinnah does not think it advisable to join the Interim Government and if the Congress observes a "Deliverance Day" or "Day of Relief" will the Government declare the day a public holiday? I trust I shall be favoured with a reply. Sir, the fact is that the only motive behind this order is to demonstrate to the illiterate masses, Hindus and Muslims of Bengal, who are dying of starvation inch by inch, that the Muslim League is all-powerful in Bengal and even when they declare "Direct Action", British Government dare not stand in their way. Thus they want to strengthen their party at the cost of the country. Sir, it is an ill-advised and wrong move which will bring down the prestige of the Government to the dust. Sir, impartial treatment to all—the basic principle that all civilized Governments should follow is going to be cast to the winds in this province. A "Kazi" rule is going to be established in Bengal. This is only the beginning.

The Congress Ministries never declared a public holiday on similar occasions. Two reasons may be put forward for such action of this Ministry.

One is that it wants to impress upon the masses the greatness of the Direct Action the League is going to launch. In that case the law is going to be broken. Should men be in charge of the Government, the repository of laws as they exist and promote breach of them at the same time? The Congress had to disobey laws in the past but they chose the straightforward course of giving up the reins of office. Mr. Suhrawardy in his pettiness declares that he will set up a parallel Government in Bengal if an Interim Government be in full swing.

Mr. PRESIDENT: Order, order. Mr. Majumdar, I think the word "pettiness" is an unparliamentary expression. You should not use it. You better withdraw it.

Mr. HARIDAS MAJUMDAR: The Congress Ministries could do likewise when they resigned office after the war was declared. But the Congress being a body having better political sense has no faith in childish pranks. The Congress and the Hindu Mahasabha in Hyderabad broke laws taking the full consequences. In the history of the struggle for freedom of other nations, say the Irish, the law-breakers were law-breakers openly and avowedly. You cannot drink milk and smoke tobacco at the same time, as the Bengali adage goes. If there be a mass violation of law by Muslims later on, the present action may pave the way to that. Is it not, Sir, contrary to all fundamental principles of administration that the Government machinery is used to bring about increasing breach of the law?

The other excuse, as I have already stated, is the avoidance of bloodshed and communal trouble. In that case the Government must be taken to have abdicated its function. Will it be a fit course to pursue during post-war industrial unrest to show our Government as weak beyond measure? Mr. Nazimuddin has openly referred to violence. This is very unfortunate at a time when the country is volatile and explosive.

The following resolution passed in a largely attended meeting yesterday shows the depth of feeling in the country.

"This meeting of the citizens of Calcutta representing different shades of political opinion records its emphatic protest at the arbitrary, highhanded and indiscreet action of the League Government in Bengal in declaring the 16th of August as a public holiday in defiance of public sentiments and in the teeth of popular opposition".

With these words, Sir, I request the Hon'ble Chief Minister to rise above party and take courage in both hands and rescind the order of public holiday passed. This will enhance his prestige. With these words I commend the motion to the acceptance of the House.

Mr. PRESIDENT: Motion moved: that this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the order of the Government of Bengal declaring the 16th August 1946 as a public holiday.

Mr. LALIT CHANDRA DAS: Mr. President, Sir, I rise to support this motion which is to censure the Government for their highhanded and indiscreet action in declaring the 16th of August, that is, tomorrow, a public holiday in defiance of public sentiments and in the teeth of popular opposition.

Sir, what is the reason behind it? In the case of other holidays, we know what they were for, for instance, the Pujah holidays, the Id holidays, the Christmas holidays, the Bank holidays and so on and so forth. Here no reason was assigned in the notification. Evidently Government's conscience was uneasy for they knew it was for the observance of the Direct Action Day of a certain political party, viz., the Muslim League. Discretion was the better part of valour and so they remained silent, so far as the notification was concerned. But they could not remain silent for long. The Government was assailed on all sides, in the platform and in the press, within

this Chamber and outside it and so they came out with an explanation. They now say that it was for the maintenance of peace and tranquillity of the province. Clearly, Sir, this is an afterthought and therefore not the true cause for the holiday. The real motive behind it was to make the Direct Action Day wear the appearance of success, come what may, and not for the interest of peace and tranquillity of the province, for which they cared very little. Here we must know what is this Direct Action Day for, of which this notification of the holiday is the offshoot. It was ostensibly to get that which the Muslim League failed to get by negotiation, but outwardly it is for getting Pakistan by force. লড়কে লেঙ্গে পাকিস্থান is now the slogan. The League leaders know in the heart of their hearts that the cry of Pakistan is a colossal hoax politically as well as economically. They know, Sir, that in the province of Bengal the non-Muslims are 48 per cent. of the population. They know they can't have it without their consent, and they know further that that consent will never be given. They cannot have it in the Punjab either. They know that the Sikhs who are an important minority and the other non-Muslims do not agree to it, rather they resent it as vehemently as the Bengalees in Bengal do. They know, Sir, that the North-West Frontier Province is a Congress province in which Muslims are 95 per cent. but there they won't have it. What for then is this false cry? Sir, this being the situation, this false cry of Pakistan has been raised as a lever to strike the Congress with in the interest of British Imperialism. It has been raised, Sir, also for bargaining of conditions which are impossible of fulfilment and which in ultimate analysis will ensure the benefit of foreign rule.

Sir, the British Cabinet Mission while rejecting the Pakistan scheme very thoughtfully laid down suggestions in the State Paper of May 16th which the present-day Muslim League leadership seized with avidity to carry on their agitation to which, let me say in passing, they are fully entitled even to declare a particular day as a Direct Action Day. Sir, it is a thousand pities that at a time like this when everybody is for democracy and independence, there should be at the present moment at the helm of the great Muslim community a leader to lead them astray, a leader who is impervious to all appeals of patriotism, justice and fairplay.

Sir, the fiat has gone forth particularly from Sir, now Mr. Nazimuddin, ex-Chief Minister of Bengal, that the Muhammadans know no such policy as non-violence and that they know how they must act to attain their objective. He implied, Sir, that they must have by unconstitutional methods what they have so long failed to get by negotiation. It is to start such an agitation fraught with so dangerous consequences that 16th August has been proclaimed by the partizan League Government of Bengal as a public holiday. In doing so they have cast all sense of decency and fairplay to the four winds. They have ignored the best interests of the province as a whole—the Government acted as a department of the Muslim League.

Sir, they ignored the fact that people allowed to attend to the ordinary avocations of life which would keep them engaged for the day, would have minimized chances of clash between communities and communities, between ideologies and ideologies. With their eyes wide open, Sir, they have increased the chances of collision. Being a public holiday, the labourers would come out of the mills, the students from schools and colleges and the public from other normal activities of life, and they would loiter. The Muslims raised to the fever heat of agitation will be in no mood to suffer any counter views with the result that the breach of peace on such a holiday will be inevitable.

Sir, a similar situation arose in Sind. The Governor promptly put it down cancelling the notification of a holiday on the 16th August in the interests of peace and tranquillity. Now to have it again the Sind Ministry is swearing before the Governor and is undertaking that there will be no outburst of violence or incitement to violence or any violent demonstration on the 16th. We ask, has the Bengal Ministry given such a pledge to the

Governor? We ask, will they give such assurance to the people even today? Will they bind themselves to assure that if the bazars are open, the students attend schools and colleges, there will be no interference from the side of the League? We hope the Government will clarify these points. Sir, we desire to know what arrangements have been made by the Government for keeping the peace and protecting the law-abiding citizens against League goondaism.

Sir, the League leadership now at the head of the Bengal Government know full well that without the holiday tomorrow, the strike should prove a colossal failure. And so to give it the colour of a success they decided upon the holiday.

Sir, a Government which cannot hold the balance even between people and people committed to their charge is no Government. It is a faction and therefore can hardly be honest in its dealings. Sooner such a Government topples down the better it would be for all concerned.

Mr. C. MORGAN: Mr. President, I welcome this opportunity of voicing the opinion of my party on the action taken by Government as regards this public holiday. We consider that the action, to say the least of it, is unwise, and it creates a very bad precedent (Mr. LALIT CHANDRA DAS: Hear, hear). Both the Hon'ble Chief Minister and the Finance Minister have stated that this action on the part of Government was taken in order to preserve peace on the day of the Muslim League demonstrations on what is called "Direct Action" whatever that may mean. It seems to us that this action is likely to defeat its object in that the public, having nothing else to do on that day, will be free to do anything they like and communal trouble will probably arise.

The Chief Minister must be aware of the danger of trouble arising and, holding, as he does, the portfolio of Law and Order, he will be hard put to it to keep the peace.

Sir, we think there is enough trouble just now with strikes everywhere without running the risk of more trouble. In view of the reports in the press regarding the delicate position of the setting up of an Interim Government at the Centre I should have thought that our Government would have used its influence to get the Muslim League to cancel their demonstration meantime.

I have only taken part in this discussion because I feel that Government should be made aware of the feelings of a large section of the public. An atmosphere of uncertainty and fear has been created by this action of Government, and that, I may say, is a very dangerous atmosphere.

I trust Government realises its responsibility in this matter and will act accordingly.

Miss ETHEL ROBERTSON: Sir, the Government has announced that tomorrow is to be a holiday. That is all very well for offices, firms, banks, etc., but what would happen to the sick? Nurses would have to go on duty or the patients must suffer. The telephone girls have been told that under all circumstances they are to attend their offices. I speak today as a woman of Bengal. Sir, when any party decides to hold demonstrations, I would like to point out that by molesting women who have to go out in the discharge of their duty they are not furthering their party. I do not mean to imply that any women will be molested tomorrow, but I should like to point out that during strikes and demonstrations it is the unfortunate experience of this town for women to be annoyed on the streets and while I realise the office workers can stay at home, I fail to understand what the nurses and the telephone girls of Calcutta are to do tomorrow.

Mr. ABDULLA-AL-MAHMUD: Sir, I beg to oppose the adjournment motion that has been tabled by Mr. Haridas Mazumdar not on the ground that Government supports the holiday but on the ground that Mr. Lalit Chandra Das has said that it would have been a colossal failure in case the

Government would not declare the 16th August as a holiday. I wish that the Government had not declared it as a holiday. I wish that the Congress should not have taken shelter under the protecting wings of Lord Wavell. I wish the Bengal Government should have stood up in its true stature and declared it their Direct Action Day and from the Muslim League point of view they have directed that the 16th of August would be a day for direct action. But I think in a cooler moment the Bengal Government in the interests of law and order have declared it a public holiday and the Congress thereby has found an excuse to attack the Government and to propagate in the press that but for the declaration of the holiday by the Government of Bengal the hartal would have been a colossal failure. Sir, it is a regrettable fact that Mr. Majumdar has come forward with such a motion. Previously, so far as I remember, since 1920, the Muslims in all spheres of activities, in all hartals, in all processions were intimidated and were forced to join in other parties' demonstration. They know that at no time the Muslims were annoyed. The Bengal Government, in the interest of the province as a whole, have declared to-morrow a public holiday. I do not think from the Muslim League point of view that the Government were right in doing so because we also want a trial of strength of our organisation; the 10 crores of Muslims of India have got the guts to stand and to have their demand exacted from Lord Wavell. We do not like to take our shelter under the protecting wings of Lord Wavell. Pandit Jawarharlal the other day rejected the Interim Government. Lord Wavell, duty bound, morally and ethically was bound to call the Muslim League to form the Interim Government. Now the Muslims have rejected and Lord Wavell has now invited the President of the Congress Organisation to form the Cabinet. Therefore the Muslims want to demonstrate, to show whether they have got the power to mobilise and force the British to yield to their demand for Pakistan. With these remarks, Sir, I oppose the motion that has been moved by Mr. Majumdar.

Mr. NUR AHMED: Sir, I rise to oppose the motion moved by Mr. Haridas Majumdar and supported by Mr. Lalit Chandra Das, Deputy Leader of the Congress Party. It is as clear as daylight that the claim of the Congress to represent all communities and parties living in this great continent is a subterfuge and is not correct. There is no identity of interest. Muslims form a separate nation having their separate interest, separate rights and privileges and the Congress which was so long masquerading under the garb of a representative spokesman of all the parties in India falls to the ground. It is unfortunate that this motion has been tabled and discussed in this House. Sir, we Muslims came to this land more than 1,000 years ago and we have been living together with other communities amicably and peacefully. Since the commencement of the British rule, after 75 years of their rule we Muslims have suffered inhuman hardship. We have been reduced to a nation of hewers of wood and drawers of water. They have worked in full co-operation with all the sister communities all these years but now ultimately they find that their sacrifices, supreme as they were, are all in vain. Their sacrifices have not been appreciated and their hand of co-operation, their generous offer of co-operation has been most ruthlessly rejected by the other parties. Coming to the subject matter of the Direct Action I may say that the Muslim League under the great Quaide Azam Mr. Jinnah have made great sacrifices. It is only in the interest of India as a whole that at Delhi the Muslim League agreed to postpone the attainment of their great Ideal, namely, Pakistan, for ten years. And for what? To work peacefully with the Congress and all the other parties in India, and to evolve a constitution suitable to the principal parties in India. But, Sir, what was the effect? Thereafter it was stated by the top leaders of the Congress that they were going to the Constitutent Assembly to make their own constitution irrespective of what was contained in the proposals of the Cabinet Mission. It was when clarification was sought and did not come and also a statement was made in Parliament by the Cabinet Ministers to the

effect that the claim of the Congress was upheld then there was no alternative for the Muslim League but to stand on its own legs and to try to attain their salvation by themselves. As a result of that the Direct Action Day has been declared. For long 170 years they have suffered and suffered and there is a limit to their patience and suffering and endurance. It has been said that but for the declaration of 16th August as a public holiday by Government it would be a failure. In answer to that I must point to the results of the elections. Was there a public holiday in support of that when about 95 per cent. League Mussalmans were elected? Was there any coercion then? When hartals were declared on other occasions by the Hindu community no such cry was raised. But as peace and order might be broken during a hartal the Government thought it their supreme duty to declare the 16th of August a public holiday. So I am sorry to say that by this motion the Congress wants and other parties want that there should be some sort of a disorder tomorrow. As I read the proceedings of the meeting at Deshapriya Park yesterday, it seemed to me that they were inciting violence. Sir, I warn the Hindu community that the Muslims are a virile nation and they are not going to tolerate any more this sort of interference. They will now stand for their own salvation on their own legs. They will try every possible way now to depend entirely on their own efforts.

Sir, with these words I oppose the adjournment motion of my friend Mr. Haridas Majumdar.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, for some time, since the declaration regarding the observance of the 16th August as a day of protest by Mussalmans, attempts were being made all over the province, unfortunately, by the Hindu community to show that they are not in favour of the demand of the Mussalmans. They are also creating difficulties in the way of the peace-loving Muslims to stage their protest in a peaceful manner and to record their protest against the decision taken by the three members of the British Cabinet. Every nation, every group of people, every section of people and individual has the right—and that is a fundamental right—to lead processions and express their views in public meetings. These are some of the fundamentals of all civil liberties recognised in most countries. Here the Mussalmans have declared a day of protest against decision of the Cabinet Mission, and in fact the Congress know in their heart of hearts (the other groups also know and my friend Mr. Haridas Majumdar, representative of the Hindu Mahasabha, who has unfortunately had no one with him also knows) that 95 per cent. of the Muslims of India are behind the demand put forth by the Muslim League. Why, then, create difficulties in the way of a peaceful demonstration, why stand in the way of their exercising an elementary right of recording their opinion. Many Hindus often express their views that there should be settlement between Hindus and Muslims, so they should know the Muslim mind, they should realise that it is a solemn day for Muslims. Therefore no provocative language should be expressed as has been done by two members of the opposite benches, as are being daily published in so-called responsible papers and as has been done by responsible leaders from the public platforms. No one will obstruct if a Hindu shop is kept open. Hardly any one doubts that the Hindus are not with the Muslims in their struggle. It is not binding upon the Hindus to close their shops. But if they are patriotic enough, they will respect the sentiment of their Muslim brethren and out of respect for Muslim feelings, suspend their ordinary business that day. But no one calls upon the Hindus to stop their business, they can go wherever they like. Why then this propaganda, why these public meetings everywhere and why this provocation. (Mr. LALIT CHANDRA DAS: We are not standing in the way of demonstration). Can there not be a peaceful demonstration? Then why this provocation? If you become generous, when you have won, there would be a greater chance of compromise. You should know that you cannot establish a Government and rule even if you are larger in number—far

less without the consent of the people—even a majority of the people cannot rule without the consent and willing co-operation of the minority. It is not possible unless you look to the interest of the people. Like Fascists you cannot rule by issuing orders at the point of bayonet, and having big bussinessmen at your command you cannot force people to do anything against their will. I say it is not the Government of Bengal which has been creating occasions for disturbances. It is Government's duty to see as to how they will preserve peace It is Government's duty to see that no obstruction is put to legitimate action by a large section of the people. Government have declared a holiday. They have given explanation. That does not mean that the holiday has been given for the purpose of propaganda on behalf of the Muslim League. They have made this arrangement only to prevent breach of peace. To maintain law and order, as they say, this holiday has been declared. But at the same time you should not take advantage of the situation to put fuel to the fire. Do not put gunpowder to a situation which is already pregnant with serious consequences. Leaders of the Muslim League have appealed and so have other Muslim League organisations to observe the 16th August peacefully. This action has been taken to fight for our own rights. If you find that at any time an occasion has arisen in which there has been breach of peace then you could suppress it by the force of arms which you have.

Mr. BIJOY SINGH NAHAR: Mr. President, Sir, the Government of Bengal has declared the 16th August as a public holiday on account of the Muslim League declaring Direct Action. This order has been given to maintain peace and order on that day. I do not know how the Government could imagine that there would be no peace or tranquillity in the province. There may be breach of peace or there may not be. Why do they apprehend that there would be breach of peace? We have seen hartals and Direct Actions. We know that leaders organise hartals. We know that the leaders who have no hold on the people or the masses say that there would be any breach of peace. We know that unless it comes from the organisers or the demonstrators themselves there would be no breach of peace and order. Sir, Direct Action Day is Direct Action Day. I do not know whether as Mr. Hamidul Huq Chowdhury says this Direct Action Day means that this is against the decision of the Cabinet Mission. If this is so we have nothing to say against it. But what we find from the speeches of other leaders of the Muslim League of the different provinces of India as well as of Bengal, that this is not only against the British Government but it is also against the Congress as well I think Direct Action has been envisaged generally for the freedom of India, really to drive out the Britishers. If really that is so then certainly we would all join them in their action.

Now, Sir, we find that the Bengal Government has declared tomorrow a holiday. Why, Sir? Why this holiday? They want to show or rather the League wants to show that they want to maintain hartal on that day (tomorrow). It is a forced hartal. How can there be a real hartal on a holiday declared by Government? It is only for purposes of publicity that hartal was to be observed on the 16th August that you have declared tomorrow a working day a holiday and if you had any real intention to observe hartal tomorrow you would not have declared it a holiday. You have only carelessly and thoughtlessly misused the powers that have been conferred upon you by the sheer majority in this Legislature. You are simply misusing the powers that have been conferred upon you as a Government. You are closing all the offices. Why? Is it because your party, the party which you represent, the Muslim League, wants a hartal to be observed? Because you know in your heart of hearts that you cannot have a successful hartal and therefore you have come out or rather the Government has come out to say that there will be holiday tomorrow. There is no other sense in declaring a holiday on that day. If the Bengal Government had not declared

it a holiday and you wanted to observe hartal tomorrow I would have welcomed it and there would be a real hartal. We want our friends to unite and to show that they can also stand against the British Imperialism and they are also coming forward to join hands with us in driving out the Imperialist British Government. But that is not so. Therefore, Sir, we have to object to the procedure that has been adopted by the Government. And next, we do not want that any Government should meddle in this sort of political affairs where one party in its whim dominates. As per the Muslim League resolution let it be a Direct Action Day. Let there be an appeal to the Muslims to observe hartal, to take out processions and hold meetings. But why this enforced abstinence from work, why the order has come from Government declaring tomorrow a holiday? It is a scandalous and shameful act of the Government to declare a holiday tomorrow. With these words, Sir, I call upon the Chief Minister and the Cabinet to cancel the declaration of a holiday tomorrow. Let them demonstrate that they can really observe hartal tomorrow but not close down the normal activities of the city by the Government forcibly declaring a holiday.

Mr. AMULYADHONE ROY spoke in Bengali.

Mr. PRESIDENT: Mr. Roy you have reached the time limit.

Mr. AMULYADHONE ROY: Sir, may I have two minutes?

Mr. PRESIDENT: I cannot give you any more time. There are other speakers, so you must resume your seat.

Mr. AMULYADHONE ROY: May I appeal to you for two minutes?

Mr. PRESIDENT: The rules do not allow it.

Mr. AMULYADHONE ROY: Thank you, Sir.

Mr. PATIRAM ROY spoke in Bengali.

Mr. MOAZZAM ALI CHAUDHURI spoke in Bengali.

Mr. BANKIM CHANDRA DUTT: Mr. President, Sir, I am really happy to find that there has been a very healthy change in the attitude of my friend Mr. Hamidul Huq Chowdhury. I wish it were sincere and if it is sincere I congratulate him. I would only wish that the Premier would have taken a lesson from him and not declared tomorrow a public holiday and everything would have been all right. Sir, if it is possible for a Government for the purpose of complying with the wishes of a particular party to declare a business day to be a public holiday, then, Sir, it gives us really a foretaste of a Pakistan Day in Bengal. I appreciate the observations made by Mr. Hamidul Huq Chowdhury that this particular day is to be observed for the purpose of demonstration against the British Imperialism. Sir, in that way they would have got the co-operation from the Congress and I think all this camouflage would have been unnecessary. It is the utterances of responsible leaders like erstwhile Sir Nazimuddin, now Mr. Nazimuddin, that really caused apprehension in the minds of many a people. In one of his speeches that I saw in the papers it was suggested that this Direct Action might take any kind of action and not restricted to non-violence. These statements did arouse suspicion in the minds of many. Sir, Hindus and Muslims are living in the mufassal peacefully like brothers and sisters, if I may use that expression but this spirit in towns, if that is allowed to go on in this way, I am sure is bound to create disturbances. One of the honourable members on the other side suggested that the Congress was trying to live within the wings of Lord Wavell, if I remember aright, but my learned friend on the other side is forgetting that the present situation, these reforms and the Reforms Acts are entirely due to the organisational strength and the struggle which the Congress has been carrying

on for the last forty years and all this is not for a particular section of the people but for everybody in India. (Mr. HAMIDUL HUQ CHOWDHURY: Question!) You may question it but you will not forget and you should not forget that the position you are now enjoying here is due to the sufferings of this Congress people whom you have still kept behind the prison bars. I am really sorry for the utterances of a renegade, if I may call him, Mr. Amulyadhone Roy, I am sorry he is not here——.

Mr. PRESIDENT: Mr. Datta, you should withdraw that expression.

Mr. BANKIM CHANDRA DATTA: With your permission, Sir, I withdraw that expression. However, Sir, I am sorry for his utterances. I am also sorry for the observations made by our Mr. Lal Mia. He should not have run down the Congress to which organisation I think he owes his present position. He knows in his heart of hearts that the Congress cannot ally with the British Imperialism, although he wanted to speak it out in that way. Sir, does it lie in the mouth of a man of his position? We had all respect for him but the attitude which he is taking up now seems that he is only building up on his past assets which, I am afraid, he will very soon lose. Sir, inside this Chamber I find him a little different to what he is found outside. In his public utterances in another place it is difficult to recognise if it is the same old Lal Mia who is seated here. Sir, what I do feel is this and I would appeal to the Premier to please not ride roughshod over the feelings of a large number of people who have been left in his charge and impose his will on those unwilling lot. He can by means of legislation render a day into a night or make a night a day but that I think would not enable him to carry on the administration peacefully. I would therefore implore him to see at least that the 16th of August is observed in the same spirit in which Mr. Jinnah has suggested and that there are no communal clashes or disturbances anywhere and as Mr. Hamidul Huq Chowdhury has suggested that there will be no compulsion there should be no compulsion or interference with non-Leaguers in carrying out their usual peaceful avocations of life. With these words, Sir, I support the adjournment motion moved by Mr. Haridas Majumdar.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. President, Sir, it is after a long time that I have had the privilege of addressing the honourable members of this House and I see that Mr. Haridas Majumdar has lost none of his ability and forced attempts at manuscript nor has Mr. Lalit Chandra Das his flair for irrelevancies. Mr. Majumdar starts it by saying that this Ministry is a communal Ministry with bitter communal rancour. I deny that charge. It is true that most of the members of this Ministry are Muslims. But we have all along paid the greatest amount of attention to the feelings of non-Muslims and have in various ways attempted to meet their wishes. We stand, Sir, on justice and fair-play for all and by our actions we have not only proved it but we hope that we shall continue to prove it to the end of our tenure. He has said that this Ministry does not command the confidence of the majority of the population and consists of persons who are practically out of tune with the general electorate, namely, Caste Hindus, Scheduled Castes, Anglo-Indians and, did he say Nationalist Muslims? Probably he did and I know where it exists, an extinct species of Nationalist Muslims. I fear that my friend is mistaken. I have taken the great Scheduled Caste community but I think that there are sitting behind in support of this Ministry a few representatives backed by the Congress who have not altered their views. Among my caste Hindu friends I know there are many who are sick of Congress tyranny and who are prepared to give a chance to the Muslim League to administer this province in the interest, as I have said, of justice and fair-play.

Then Mr. Majumdar spoke of British I.C.S. officers allying themselves with the communalists. At first I thought that he was referring to the

Congress communalists, but latterly I understood that he was referring to us. Sir, gone are those days, when it could be charged that British I.C.S. officials were in confederacy or collusion with Muslims or the Muslim League. Today the Congress stands as the champion of British Imperialism. (Mr. LALIT CHANDRA DAS: Question, question). I might say that I notice a change in the attitude of Mr. Morgan who perhaps prefers that he should be made to come out of his car and walk on the streets to sitting quietly and peacefully at home or in his office. It has been stated that the Congress has for the last forty years been fighting against the British and British Imperialism and that the Muslims have never agitated against anything. But today the Congress stands out in its true complexion. It has fought, it is true, all these long years for its own power and at last it has got this power, or at any rate it thinks that it has got it now. And the British capitalists and business men are combining with the Congress *bania* today to perpetuate British Imperialism in this country. I do not think that if the Muslim League had stood against British Imperialism in its Direct Action the Congress would ever have supported it. The Direct Action of the Muslims is not directed against the Hindus, let me make that quite clear. It is a fight for Pakistan and it is a fight against all, be they British, Hindus or Muslims or anybody who obstructs this Pakistan. Mr. Nazimuddin's statement has also been referred to in this House, and it has been suggested that it is tantamount to incitement to violence. Sir, I repudiate this suggestion. What Mr. Nazimuddin said was that he made it quite clear that Mussalmans do not swear by non-violence and then commit violence, sabotage, bring about derailment of trains, cut down wires, commit pillage, robbery, arson or shooting. He made it quite clear that Muslims when they enter into the fray they enter into it with cleaner hands. And everybody should know what is that standpoint. But it is not meant that while the leaders speak of non-violence and such-like epithets they should at the same time glorify violence and terrorism, that is all that is done by the Congress, and, Sir, with this background what alternative was there for Government but to minimise all chances of risks of conflict in the interests of peace and order, and declare 16th a holiday; and I hope and trust that all sections and groups of people will do their utmost to co-operate in the preservation of peace and order and will do nothing provocative or otherwise, which may precipitate a disturbance. I repeat, Sir, that this measure has been taken to minimise the risk of disturbance and I trust that the fullest advantage will be taken of this facility.

I conceive that the 16th of August is being observed by the Muslim League as Direct Action Day to explain to the Muslims the reason why the Muslim League has felt compelled to adopt its new policy and to ascertain to what extent the Muslims are behind the Muslim League in the proclamation of its new policy. This is a matter which deeply concerns the Muslims and other minorities and the League have decided to give expression to their feelings by observing a complete hartal or cessation from work. The Quaide-Azam Muhammad Ali Jinnah has declared that this move is not aimed against any people and that Muslims should observe the day peacefully and in a disciplined manner. As will be seen, the Muslim League, while calling upon Muslims to observe hartal, have given them specific instructions to see that the essential services are maintained. I have it from them also that there shall be no interference with the running of the railway trains, no interference with the nurses or doctors or with others who go about on their avocations; but I shall not be responsible for Congress goondaism and as Chief Minister of Government it will be my duty to preserve peace and order and to see that everything goes on smoothly. In spite, however, of all these precautions and statements there is always a danger and fear of a conflict arising. The manner in which hartals have been previously observed and enforced on unwilling people anxious to pursue their normal avocations in the discharge of their duties and for the purpose of earning their livelihood, causes great anxiety to many. It is amusing for me to hear from

the members opposite speeches against the declaration of public holiday on the 16th August. This does not prevent persons from doing their business if they wish to do so. But will my friends on the other side who have been responsible over and over again for the enforced hartals called for no occasions at all, will they consider themselves responsible for the loss that has accrued to the people of Bengal by their action. The stalwarts or my friends on the other side have shown to the people the way of how to enforce hartals by violence and intimidation. The Muslims would naturally be tempted to follow suit and in the present political atmosphere it is bound to give rise to communal conflicts. It is this which I am most anxious for. It is this perhaps which Mr. Morgan does not wish to avoid. It is to minimise the risks of such communal conflicts that I have taken this measure and I feel that I am amply justified. Hitherto work had been suspended on various occasions at the instance of the Congress and other groups. The Muslims, to avoid conflicts, some in sympathy and some under pressure, have not interfered with such movements and demonstrations which have not been free from violence and intimidation. It is regrettable that on such occasions we heard of no public declarations from the organisers of such movements asking people to refrain from intimidation or violence or to permit others who might wish to keep their shops open or to carry on their ordinary avocations to do so. May I not hope, again in the interests of peace and order, that the non-Muslim peoples will respect the feelings and sentiments of the Muslims and co-operate with them in their hour of agony close their shops voluntarily, suspend their normal activities and earn the goodwill of the Muslims which, I am sure, will yield good fruit in times to come? Could not the Congress call upon the people in general to respect Muslim sentiments and to co-operate with the Muslims on this occasion and at any rate to keep peace and order and do nothing which may provoke the Muslims? It is the fullest intention of the Muslim League not to resort to violence or intimidation and not to interfere with those who wish to carry on their business. Although it naturally expects that the Muslims will receive the same measure of co-operation from the non-Muslim communities as the Muslims extended to them when those communities observed hartals in pursuance of their own ideology and purposes, I should like to make one further suggestion to the leaders of the Congress and other parties in the House which would perhaps for all time to come minimise all chances of conflict. I am sure if the leaders of the Opposition were to declare that all hartals or cessation of work which might be sponsored by the Congress or any other political party, will be a matter for the individual that there will be no intimidation, no violence, no stoning of shops, no holding up or burning of cars, no forcing people to get out of their vehicles and walk, no picketing outside shops or business houses or places of amusement, no stoppage of transport should anyone be disposed to move about in the city, that in fact there will be no interference with those who do not sympathise with the objects of that particular hartal, or cessation of work that will, I am certain, have a great effect in preserving peace in future. If a convention on these lines is accepted, then and then only shall we know the true depth of feeling and sentiment and there will be no danger to peace and tranquillity and there will be no need whatsoever for me to take such an extraordinary step as declaring a public holiday. That is all I have to say. Let us pray that the 16th of August, may pass off peacefully and without disturbance and with the co-operation of all sections of the people.

Mr. ABDUL RASHID: Sir, I beg to move that the question be now put.

Mr. PRESIDENT: Order, order. The question before the House is that the question be now put.

The question was then put and agreed to.

Mr. PRESIDENT: Order, order. The question before the House is that the Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the order of the Government of Bengal declaring 16th August, 1946, as a Public Holiday.

The motion was put and a division then taken with the following result:—

AYES—13.

Mr. Syed Badrudduja.
Mr. Lalit Chandra Das.
Mr. Hemendra Kumar Das.
Mr. Bankim Chandra Datta.
Mr. Mungturam Jaipuria.
Mr. Satish Chandra Jana.
Rai Bahadur Brojendra Mohan Maitra.
Mr. Haridas Majumdar.
Mr. Bijoy Singh Nahar.
Mr. Biren Roy.
Mr. Biswanath Roy.
Mr. Patiram Roy.
Mr. Charu Chandra Sanyal.

NOES—31.

Mr. Abdulla-al-Mahmud.
Mr. Nur Ahmed.
Mr. Sultanuddin Ahmed.
Rai Bahadur Dhirendra Lal Barua.
Khan Bahadur Syed Abdur Rashid Chowdhury.
Mr. Moazzamali Chowdhury.
Mr. Hamidul Huq Chowdhury.
Mr. Abdul Hamid Chowdhury.
Khan Bahadur A. Latif Chowdhury.
Mr. Syed Fazle Rabbi Chowdhury.
Mr. Yusuf Ali Chowdhury.
Mr. D. J. Cohen.
Mrs. Labanyaprabha Dutt.
The Hon'ble Khan Bahadur Abdul Gofran.
Khan Bahadur A. M. Shahoodul Haque.
Sir Md. Azizul Haque, Khan Bahadur.
The Hon'ble Khan Bahadur S. M. Hosain.
Mr. Latafat Hossain.
Alhaj Yar Ali Khan.
Khan Sahib Mobarak Ali Khan.
Mr. Abdul Latif.
Mr. Syed Abdul Majid.
Mr. Tarak Nath Mukerjea.
Khan Bahadur Ghyasuddin Pathan.
Khan Bahadur Mukhlesur Rahman.
Mr. Abdul Rashid.
Miss Ethel Robertson.
Dr. K. Talukdar.
Mr. Md. Taufiq.
Khan Sahib Maulvi Wahiduzzaman.
Haji Md. Yusuf.

Ayes being 13 and Noes 31 the motion was lost.

The Bengal Local Self-Government Associations (Amendment) Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: I beg to move that the Bengal Local Self-Government Asocisations (Amendment) Bill, 1946, as settled in the Council be passed.

Mr. PRESIDENT: Motion moved that the Bengal Local Self-Government Associations (Amendment) Bill, 1946, as settled in the Council be passed.

The question before the House is that the Bengal Local Self-Government Associations (Amendment) Bill, 1946, as settled in the Council be passed.

The question was put and agreed to.

Mr. PRESIDENT: The House stands adjourned till 1-15 p.m. on Wednesday, the 21st August.

Adjournment.

The Council then adjourned till 1-15 p.m. on Wednesday, the 21st August, 1946.

Members Absent.

The following members were absent from the meeting of the Council held on the 15th August, 1946:—

(1) Mr. L. P. S. Bourne,
(2) Mr. Kamini Kumar Dutta,
(3) Khan Bahadur Sk. Fazal Ellahi,
(4) Mr. Humayun Z. A. Kabir,
(5) Maulana Md. Akrum Khan,
(6) Mr. Nagendra Nath Mahalanobish,
(7) Mr. T. B. Nimmo,
(8) Dr. Kumud Sankar Roy,
(9) Mr. Birendra Kishore Roy Chowdhury, and
(10) Mr. F. C. J. Stuart.

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 15.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 21st August, 1946, at 1-15 p.m., being the 15th day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble SIR BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Absence of quorum.

Mr. DEPUTY PRESIDENT: Sir, there is no quorum present.

Mr. PRESIDENT: Please ring the bell.

(The bell was rung for two minutes.)

Mr. PRESIDENT: Order, order. As a quorum is still not present the House stands adjourned till 1-15 p.m. on the 2nd September, 1946.

Adjournment.

The Council then adjourned till 1-15 p.m. on Monday, the 2nd September, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 21st August 1946:—

(1) Mr. Abdulla-al-Mahmud,
(2) Mr. Nur Ahmed,
(3) Mr. Sultanuddin Ahmed,
(4) Mr. Syed Badruddoja,
(5) Rai Bahadur Dhirendra Lal Barua,
(6) Mr. Reajuddin Bhuiya,
(7) Mr. L. P. S. Bourne,
(8) Khan Bahadur Syed Abdur Rashid Chowdhury,
(9) Mr. Mouzzamah Choudhury,
(10) Mr. Hamidul Huq Choudhury,
(11) Khan Bahadur Abdul Latif Chowdhury,
(12) Mr. Syed Fazle Rabbi Chowdhury,
(13) Mr. Yusuf Ali Chowdhury,
(14) Mr. C. E. Clarke,
(15) Mr. Lalit Chandra Das,
(16) Mr. Hemendra Kumar Das,
(17) Mr. Bankim Ch. Dutta,
(18) Mrs. Labanyaprobha Dutt,
(19) Mr. Kamini Kumar Dutta,
(20) Khan Bahadur Sk. Fazal Ellahi,

(21) The Hon'ble Khan Bahadur Abdul Gofran,
(22) Khan Bahadur A. M. Shahoodul Haque,
(23) The Hon'ble Khan Bahadur Saiyed Moazzamuddin Hosain,
(24) Mr. Latafat Hossain,
(25) Mr. Mangturam Jaipuria,
(26) Alhaj Khan Bahadur Sk. Md. Jan.
(27) Mr. Satish Ch. Jana,
(28) Mr. Humayun Z. A. Kabir,
(29) Alhaj Yar Ali Khan,
(30) Khan Sahib Mabarak Ali Khan,
(31) Maulana Md. Akrum Khan,
(32) Mr. Abdul Latiff,
(33) Rai Bahadur Brojendra Mohan Maitra,
(34) Mr. Syed Abdul Majid,
(35) Mr. Haridas Majumdar,
(36) Mr. Nagendra Nath Mahalanobish,
(37) Mr. George Morgan,
(38) Mr. Tarak Nath Mukerjea,
(39) Mr. Bijoy Singh Nahar,
(40) Mr. J. L. Nelson,
(41) Mr. T. B. Nimmo,
(42) Khan Bahadur Ghyashuddin Pathan,
(43) Khan Bahadur Mukhlesur Rahman,
(44) Mr. Abdul Rashid,
(45) Rai Bahadur Jogendra Nath Roy,
(46) Dr. Kumud Sankar Roy,
(47) Mr. Amulyadhone Roy,
(48) Mr. Biren Roy,
(49) Mr. Biswanath Roy,
(50) Mr. Patiram Roy,
(51) Mr. Birendra Kishore Roy Chowdhury,
(52) Miss Ethel Robertson,
(53) Mr. Charu Chandra Sanyal,
(54) Mr. Satish Ch. Sen,
(55) Mr. F. C. J. Stuart,
(56) Dr. Kasiruddin Talukdar,
(57) Mr. Md. Taufiq,
(58) Khan Sahib Maulvi Wahiduzzaman, and
(59) Haji Md. Yusuf.

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 16.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday the 2nd September, 1946, at 1-15 p.m., being the 16th day of the First Session of 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Adjournment.

The Hon'ble Khan Bahaur SAIYED MUAZZAMUDDIN HOSAIN: Mr. President, Sir, in view of the recent catastrophe in Calcutta the members of the House, I understand, are desirous that the House should be adjourned till the 12th September, 1946.

Mr. PRESIDENT: Is that the desire of hon'ble members that the House should be adjourned till the 12th September?

Mr. KAMINI KUMAR DUTTA: Sir, so far as the opinion of my party is concerned, considering the present situation in Calcutta my party wishes that the House should be adjourned till the 12th September. But I have to mention one thing. Mr. Lalit Chandra Das has given notice of an adjournment motion and I would submit that it should be kept pending so that his motion may not lapse.

Mr. PRESIDENT: If the House adjourns today without taking up any business then his motion will not be affected.

Mr. KAMINI KUMAR DUTTA: All right, Sir.

Mr. HARIDAS MAJUMDAR: Sir, my party is agreeable to the adjournment of the House till the 12th September.

Mr. C. MORGAN: I agree, Sir.

Mr. PRESIDENT: Now, there is a suggestion that the House should meet at 2-15 p.m. on the 12th September as the Ramzan is over instead of at 1-15 p.m. Is that the desire of the House?
(cries of "Yes, yes.")

Then the House stands adjourned till 2-15 p.m. on the 12th September.

Adjournment.

The Council then adjourned till 2-15 on Thursday, the 12th September, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 2nd September 1946:—

(1) Mr. Reajuddin Bhuiya,
(2) Mr. L. P. S. Bourne,
(3) Khan Bahadur Syed Abdur Rashid Chowdhury,
(4) Mr. Bankim Chandra Dutta,
(5) Mrs. Labanyaprabha Dutt,
(6) Khan Bahadur Sk. Fazal Ellahi,
(7) The Hon'ble Khan Bahadur Abdul Gofran,
(8) Khan Bahadur A. M. Shahoodul Haque,
(9) Sir Md Azizul Haque, Khan Bahadur,
(10) Mr. Mangturam Jaipuria,
(11) Alhaj Khan Bahadur Sk. Md. Jan,
(12) Mr. Humayun Z. A. Kabir,
(13) Maulana Md. Akrum Khan,
(14) Mr. Syed Abdul Majid,
(15) Mr. T. B. Nimmo,
(16) Khan Bahadur Mukhlesur Rahman,
(17) Dr. Kumud Sankar Roy,
(18) Mr. Birendra Kishore Roy Chowdhury,
(19) Mr. F. C. J. Stuart, and
(20) Mr. Md. Taufiq.

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 17.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 12th September, 1946, at 2-15 p.m., being the 17th day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

SITTING HOURS OF THE COUNCIL.

Mr. PRESIDENT: Order, order, before taking up the business of the House I would like to mention that certain difficulties are being experienced regarding the sitting of the other House because, due to lack of conveyance towards the evening, it becomes rather inconvenient for the members to leave the Legislative Buildings after 5 o'clock. So the other House must conclude its daily session before 5 p.m., which means that we have to shift our sitting hours accordingly. Now I have consulted the Party Leaders on this matter and we have come to this tentative decision subject to the approval of the House that this House should meet every day at 11 o'clock, and sit up to 1 p.m. That will be our sitting hours at present except on Fridays. As regards tomorrow, a Friday, we shall be meeting at 10 o'clock and that is only for tomorrow and about Friday next we shall decide later on. So may I take it that this meets with the approval of the House?

Khan Bahadur MUKHLESUR RAHMAN: No, Sir, I would like that the House meet in the morning between 9 and 11 a.m.

Mr. PRESIDENT: I have consulted the Party Leaders and they were in favour of the arrangement that I have stated just now. It has the support of the majority of the House I presume.

May I take it that what I have stated is the general opinion of the House? (Cries of Yes, yes, from the members.)

As for tomorrow, Friday, we meet at 10 o'clock, and that is for tomorrow only.

Obituary Reference.

Mr. PRESIDENT: Order, order. Honourable members of the Council, before we enter upon the business of the House, I think I should make a reference to the death of Srijut Pramatha Nath Chaudhury otherwise known as Birbal. He was the last of a generation of writers which included men like Tagore and Sarat Chandra Chatterjee. His contribution to Bengali literature in popularising the use of colloquial language in writing is well known. He was the editor of the now defunct *Sabuj Patra*, one of the most remarkable literary periodicals in Bengali. As a literary critic, his writings remind one of some of the essays of Sainte-Beauve, the famous French critic. May his soul rest in peace!

In honour of the memory of the deceased, I would request honourable members to rise in their places.

(The hon'ble members rose in their places.)

Thank you. I would send a message of condolence to the members of the bereaved family on your behalf.

I will now take up questions.

QUESTIONS AND ANSWERS.

Plan for post-war reconstruction.

68. Mr. NAGENDRA NATH MOHALANOBISH: (*a*) Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state if the Government have prepared any plan for post-war reconstruction?

(*b*) If so, will the Government be pleased to place the same before this House for its consideration?

(*c*) Have the Government taken up any of the projects for execution? If so, how many, and what are they?

MINISTER in charge of the CHIEF MINISTER'S DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) A preliminary draft for 5-year plan was prepared during the last 93 Administration. Part of it has been adopted by this Government as an *interim* plan and the rest remains to be finalized.

(*b*) A copy of the preliminary draft of the 5-year plan has been placed in the Library. A revised edition will be on sale when compiled and printed.

(*c*) A statement is placed in the Library

Mr. NAGENDRA NATH MOHALANOBISH: Will not a copy of the plan when published be circulated to the members of this House?

The Hon'ble Mr. H. S. SUHRAWARDY: I shall consider that, but I hope that honourable members will take advantage of the facilities offered to them that when published it will be placed on sale.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: Will he please see that copies are easily available within the precincts of the Legislative Building?

The Hon'ble Mr. H. S. SUHRAWARDY: I shall see to it that they are readily available.

Price of rice purchased by Government for distribution to the rationed area.

69. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state—

(*a*) what are the prices at which they are purchasing rice for distribution to the rationed area of Calcutta and greater Calcutta;

(*b*) what is the amount of profit the Government are making per maund of rice by selling it at the existing fixed price in this area; and

(*c*) whether the Government consider the desirability of reducing the price at which rationed rice is to be sold in Calcutta?

MINISTER in charge of the DEPARTMENT of CIVIL SUPPLIES (the Hon'ble Khan Bahadur Abdul Cofran): (*a*) The average cost of procurement of rice distributed in the rationed area of Calcutta and greater Calcutta is Rs. 15-2 per maund; the cost of procurement includes the price at which the rice was purchased, freight, charges on account of storage and transport, and incidental costs.

(*b*) No profit is made by Government in selling rice in the rationed area at present prices.

(*c*) No.

Yield of rice in 1943 in Bengal and the quantity procured by the Government.

70. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state—

(*a*) the estimated quantity of paddy grown in Bengal during the year 1943 and the quantity procured by the Government;

(*b*) the total yield of paddy in 1944;

(*c*) the quantity already procured by the Government from the paddy produced in 1944; and

(*d*) the quantity which the Government intend to procure during the rest of the current year?

The Hon'ble Khan Bahadur ABDUL COFRAN: (*a*) The estimated quantity of paddy grown in Bengal during the year 1943 was 352,478,000 maunds.

The quantity procured by this department during the year 1943 was 4,324,157 maunds in terms of paddy.

(*b*) The total yield of paddy in 1944 was 491,719,000 maunds.

(*c*) and (*d*) Total procurement in 1944 (in maunds) was as follows

Rice—21,781,205.

Paddy—9,355,649.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: With reference to answer (*a*), whether the quantity procured by the Government in 1943 only refers to Bengal paddy or paddy purchased from other provinces?

The Hon'ble Khan Bahadur ABDUL COFRAN: So far as I understand, it is from Bengal only

Supply of yarn to weavers.

71. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state whether it is a fact that the weavers of Bengal are unable to get yarn in consequence of which many had to stop weaving? Is it also a fact that yarn, if available at all, cannot be had except at the black-market price?

(*b*) What have the Government done so long to ease the situation and what they intend to do for the weaving industry in future?

The Hon'ble Khan Bahadur ABDUL COFRAN: (*a*) It is a fact that the weavers of Bengal are unable to get as much yarn as they need and in consequence some have had to stop weaving while the majority are not fully employed. It is not a fact that yarn, if available, cannot be had except at black-market price.

(*b*) The Government of Bengal is not responsible for production of yarn. Available supplies are distributed in all areas of Bengal in quantities proportionate to the number of licensed looms in each area.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether it is a fact that for the purpose of helping the weavers in getting yarn it was proposed by the Bengal Government to start two weaving mills?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I want notice.

Supply of mustard seeds.

72. **Mr. HARIDAS MAZUMDAR:** Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state—

(*a*) if he is aware that with the enforcement of the Mustard Seeds Control Order the supply of mustard seeds has been reduced beyond all proportions;

(*b*) if he is aware that many villages are going without mustard oil;

(*c*) if he is aware that in the name of mustard oil bad oil is being sold everywhere at black-market prices causing ruin to the health, particularly of the poor who cannot purchase rich substitutes; and

(*d*) what steps the Government propose to take (*i*) to remove the said ban, and (*ii*) to increase the supply of oil and oil-seeds sufficient for the Province without further delay?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) The Calcutta and Howrah Oil Seeds Control Order of 1943 provides merely for the registration of all the larger dealers in seeds and the statement of weekly returns of stocks receipts and deliveries. Such an order cannot possibly affect imports of mustard seeds. As a matter of fact for some months after the introduction of the order the import of seeds was on a satisfactory scale. The subsequent reduction in supplies of seeds was due to the imposition of embargoes on exports by the Governments of the United Provinces, the Punjab, and Bihar as also the transport restrictions imposed by the War Transport Board. The Government of India have formulated a Basic Plan (April, 1946—March, 1947) under which a quota of 39,375 tons of seeds and 49,500 tons of oil have been allotted to Bengal. It is no longer open to this Government to arrange for imports from other Provinces and States outside the Basic Plan and the order can therefore have no effect on the volume of imports.

(*b*) Government are aware of the shortage of mustard oil throughout the Province but have been unable to obtain a larger provincial quota.

(*c*) Government are aware that cases of adulteration are not unknown. Municipal authorities can draw samples to ensure quality. To preclude black-marketing mustard oil has been placed on the ration in Calcutta, local officers have been advised to fix and enforce reasonable prices.

(*d*)(*i*) It is not proposed to abrogate the Calcutta and Howrah Oil Seeds Control Order of 1943, which is considered essential to supervise distribution.

(*ii*) *Vide* answer to (*a*).

Mr. NAGENDRA NATH MOHALANOBISH: Is the Hon'ble Minister aware that in many of the mofussil districts mustard oil is not being regularly supplied?

The Hon'ble Khan Bahadur ABDUL GOFRAN: No such complaint has so far been received by the Government.

Mr. NAGENDRA NATH MOHALANOBISH: Is there any system of fixing a quota for each district in Bengal?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Yes, on the population basis.

Mr. NAGENDRA NATH MOHALANOBISH: Is the Hon'ble Minister aware that so far as the district of Jalpaiguri is concerned supply of mustard oil has been stopped altogether?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I am not aware of it.

Mr. ABDULLA-AL-MAHMUD: The Hon'ble Minister has said that he has not received any complaint from the mofussil. Is he not aware that mustard oil is not distributed in the ration shops in the mofussil towns?

The Hon'ble Khan Bahadur ABDUL GOFRAN: There are only ration shops in Calcutta, Dacca, Comilla, and I think——

Mr. ABDULLA-AL-MAHMUD: Will the Hon'ble Minister be pleased to state what procedure is followed in distributing mustard oil in the mofussil towns?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Mofussil towns are considered as part of the district except rationed towns.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: May I ask with reference to answer to part (*a*), what system is adopted with a view to importing seeds within the towns?

The Honb'le Khan Bahadur ABDUL GOFRAN: Permits are granted to importers and they import the seeds into Calcutta and after meeting the requirements of the Calcutta rationed areas the balance is distributed all over the province.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: I understand that there is a permit system introduced with a view to asking the private dealers to import mustard seeds from other provinces. Is that true?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Yes.

Mr. ABDULLA-AL-MAHMUD: In view of the shortage of mustard oil in the mofussil do the Government consider it desirable to issue sufficient number of permits to the mofussil dealers to import oil from other provinces?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I have already said that there is a quota fixed by the Government of India and therefore it is not possible to do that.

Mr. HARIDAS MAJUMDAR: Are we to understand that the transport restrictions imposed by the War Transport Board will continue?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Certain restrictions referred to in this answer were imposed during the prevalence of the war.

Mr. HARIDAS MAJUMDAR: Do they continue still now?

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: I think the Hon'ble Minister has misunderstood the question of Mr. Abdulla-al-Mahmud——

Mr. ABDULLA-AL-MAHMUD: He has answered my question.

The Hon'ble Khan Bahadur ABDUL GOFRAN: As regards Mr. Majumdar's question, I ask for notice.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: In view of the shortage of mustard oil in the whole of Bengal will the Hon'ble Minister please state whether the Government will consider the desirability of allowing certain number of importers in the districts of Bengal instead of only allowing the Calcutta dealers to import mustard oil?

Mr. ABDULLA-AL-MAHMUD: We have heard the reply that the quota is fixed by the Government of India.

The Hon'ble Khan Bahadur ABDUL GOFRAN: A number of persons has been given permits in the mofussil areas to import oil from other provinces.

Mr. HAMIDUL HUQ CHOWDHURY: Is the quantity of mustard oil allowed for Calcutta the same as that allowed for the province as a whole?

The Hon'ble Khan Bahadur ABDUL GOFRAN: A larger quantity is given to the rationed areas.

Compensation for properties sold during the last famine for maintenance.

73. **Mr. LALIT CHANDRA DAS:** Will the Hon'ble Minister in charge of the Department of Co-operation, Credit and Relief be pleased to state—

(*a*) whether one Brojobashi Kaibarta and sixteen other fishermen of village Purbadhair, police-station Muradnagar, district Tippera, sent a petition to the Sadar Subdivisional Officer, Chandina, dated the 19th Agrahayana, 1351 B.S., praying for Government grant of compensation for boats and nets which they had to sell for maintenance during the last famine;

(*b*) what action, if any, has so far been taken by that officer with respect to that petition; and

(*c*) whether any money by way of rehabilitation of sufferers from famine were distributed so far in that subdivision; if so, what is the amount and of persons benefited thereby, and what is the percentage of Muslims and Hindus respectively?

MINISTER in charge of the DEPARTMENT of CO-OPERATIVE, CREDIT and RELIEF (the Hon'ble Khan Bahadur Abul Fazal Muhammad Abdur Rahman): (*a*) Yes.

(*b*) The petitioners were supplied with yarn for preparation of nets.

(*c*) Yes. A statement showing various kinds of relief distributed is laid on the Table.

Statement referred to in reply to Question No. 73.

1944-45.		1945-46.		1946-47 (up to 30th June, 1946).	
Nature of relief.	Beneficiaries.	Nature of relief.	Beneficiaries.	Nature of relief.	Beneficiaries.
(i) House-building grant—Rs. 75,000.	80 per cent. Muslims. 20 per cent. Hindus.	(i) House-building grant—Rs.1,000.	60 per cent. Muslims 40 per cent. Hindus.	(i) Rs. 15,000 is being given as agricultural loan.	....
(ii) 40 bales of yarn for distressed fishermen.	98 per cent. Hindus. 2 per cent. Muslims	(ii) Cattle purchase loan—Rs 8,000.	90 per cent. Muslims. 10 per cent. Hindus.	(ii) Raw materials worth Rs.1,756-14-6 sold to distressed artisans at cost and half prices.	....
		(iii) Materials at cost and half prices to different classes of artisans—Rs.6,068-5-9.	30 per cent. Muslims. 70 per cent. Hindus.	(iii) 218 pairs of *dhotis*, 320 pairs of *saris*, 976 pairs of *chaddars*, 200 pieces of blankets, 30 *thans* of standard cloth and 998 pieces of garments distributed amongst destitute.	60 per cent. Muslims. 40 per cent. Hindus.
		(iv) 14 bales of standard cloth, 22 bales of *chaddars* and 977 pieces of garments to distressed people.	60 per cent. Muslims. 40 per cent. Hindus.		

Mr. LALIT CHANDRA DAS: Did the petitioners pay for the yarn which was supplied to them?

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: Yes.

Mr. LALIT CHANDRA DAS: How have they been compensated for selling their boats and nets during the last famine for their own maintenance?

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: They have been given free yarn and other facilities.

Mr. LALIT CHANDRA DAS: But they had to pay for the yarn.

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: Some paid and some did not.

Mr. LALIT CHANDRA DAS: Who paid and who did not?

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: Those who were in a position to pay, paid.

Mr. LALIT CHANDRA DAS: What are the names of persons who paid?

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: I cannot give the names offhand. I want notice.

Mr. LALIT CHANDRA DAS: Was it not a case for compensation? They had to sell their boats and nets to maintain their families.

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: Those who suffered due to famine have been given free yarn.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please look at the statement where it is stated that 40 bales of yarn for distressed fishermen and say whether this yarn was distributed free or the people had to pay for it? It appears from the statement that 40 bales of yarn for distressed fishermen were distributed. Was this quantity given free or they were charged for on the fishermen?

(No answer.)

Scarcity of cloth in Chittagong and other places.

74. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state if it is a fact that there is awful scarcity of cloth, especially of decent cloth, in almost all districts especially in Chittagong owing to short supply, defective and faulty arrangement for cloth distribution?

(*b*) What special measures have been taken by the Government of Bengal to supply cloth on a most efficient and equitable basis to all persons of Bengal, especially to Chittagong?

The Hon'ble Khan Bahadur ABDUL GOFRAN. (*a*) It is a fact that there is a serious scarcity of cloth, especially of decent cloth, in all districts, but not more so in Chittagong than elsewhere. This scarcity is due to short supply and not to defective and faulty arrangements for distribution.

(*b*) The Government of Bengal procures through the Bengal Textiles Association the total allotment of mill-made cloth admissible to the Province under the All-India Cloth Distribution Scheme, and distributes this throughout the Province on a quota system, which, in all places except where full urban rationing is in force, is based strictly on population figures. No special measures have been taken for Chittagong.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: What is meant by 'decent' cloth?

The Hon'ble Khan Bahadur ABDUL GOFRAN: By 'decent" cloth is meant 'fine' cloth.

Taking over of the Tramway service in Calcutta.

75. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) what arrangements have so far been made by the Government of Bengal for taking over the Tramway service in Calcutta and its suburbs from the Calcutta Tramways Company, Limited;

(*b*) if the Government are aware that under the existing management of the Tramways in Calcutta considerable inconvenience is being daily caused to the travelling public of the city; and

(*c*) if so, what steps the Government are contemplating to take to alleviate the present inconveniences?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardwy): (*a*) A scheme for the formation of a Calcutta Passenger Transport Board to take over all passenger transport services, including the Tramways, has been worked out. The scheme involves legislation, proposals for which are under consideration.

(*b*) Inconvenience caused to the travelling public in the city is not, in the opinion of Government, attributable to the existing management of the Calcutta Tramways, but due to other causes which the proposed scheme under (*a*) is designed to rectify.

(*c*) *See* answer under (*a*).

Mr. HAMIDUL HUQ CHOWDHURY: May we have the advantage of knowing what is the likely period by which the Government will come before the House with the legislation referred to in the answer?

The Hon'ble Mr. H. S. SUHRAWARDY: Government have had to consider matters which have taken precedence over the consideration of this Transport Board. There are many matters of very great importance and I believe it will take some time before legislation of such a magnitude can be undertaken. I think it is the practice of Government never to state within what time they will be able to come before the House with legislative measures but I can assure the honourable member that we shall try to do this as expeditiously as possible.

Mr. BIREN ROY: With reference to "all passenger transport services" in answer to (*a*), does it mean that the buses and the taxis are included?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, I believe they are.

Communal disturbances in Burdwan and Nadia in May, 1946.

76. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) how many villages within the district of Burdwan and how many in the district of Nadia were involved in communal disturbances in May, 1946, and what were they due to;

(*b*) how many were killed and how many injured;

(*c*) what steps were taken by the Government to prevent the riots and to prevent their spread, and what steps the Government adopted to prevent their recurrence;

(*d*) what was the nearest police-station from the affected villages; on what dates the riots started and on what dates the Police and the Magistrate got the information and on what dates they visited the locality;

(*e*) what would be approximately the loss due to destruction of properties; how may huts were burnt; whether the Government will compensate the sufferers; and

(*f*) if it is a fact that two Ministers visited the riot-affected villages; who are they and on what dates they went there; if any non-Muslim officer accompanied them; whether they enquired as to how far the non-Muslims suffered or did they confine their enquiries to Muslims only?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) There were no communal disturbances in Nadia district. In Burdwan district four villages were directly involved in the disturbances which developed from an altercation between a Muslim sweetmeat seller and a Hindu customer in the cattle market near Jamalpur.

(*b*) Nine killed, 24 known injured; the probable total of injured was about one hundred.

(*c*) Large forces of police were drafted, patrols instituted and peace meetings held, including one presided over by the Divisional Commissioner.

(*d*) The nearest police-station from the affected villages was Purbasthali. The riots started on the 16th May and information about them was received in Burdwan on the same day. One Assistant Sub-Inspector and 2 constables were on the spot when the disturbances started. The Sub-Inspector of Police and the Circle Officer arrived at the spot on 16th/17th night. The Superintendent of Police arrived there with reinforcements on the 17th and stayed there till the 20th and made several subsequent visits. The District Magistrate and Subdivisional Officer visited the scene of disturbances on the 18th. The District Magistrate stayed there till the 19th and made another visit on the 29th.

(*e*) Accurate estimates are not possible. About 366 structures, of which many were small *kutcha* huts or stalls, were burnt and possibly 6,000 maunds of foodgrains were destroyed. Possible damage to other property may be reckoned at about half a lakh of rupees. Government have sanctioned relief in various forms, totalling Rs.1,11,600.

(*f*) The Hon'ble Mr. Mohammed Ali and the Hon'ble Mr. A. Rahman visited the localities on the 30th May. They were not accompanied by any Government officials, except a non-Muslim Sub-Inspector of Police.

They made enquiries regarding damage to life and property of all communities.

Mr. MUHAMMAD TAUFIQ: May I know what was the actual dispute between the Muslim sweetmeat seller and the purchaser?

The Hon'ble Mr. H. S. SUHRAWARDY: I rather forget what the honourable gentleman is now reminding me of. So far as I remember it was that a Muslim sweetmeat seller was told to make it clear that he was a Muslim so that the Hindu customers may not be inveigled into purchasing from him.

Assessment of Agricultural Income-tax.

77. Mr. NAGENDRA NATH MOHALANOBISH: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state if he is aware that there is considerable dissatisfaction in the public mind owing to the rough and ready method adopted by Agricultural Income-tax Officers for assessing agricultural income-tax?

(*b*) Is it a fact that Government have given private instructions to the officers to find out agricultural income by multiplying the acreage with what the Government has fixed as the average produce per acre and average price per maund in each district?

(*c*) Is such a method being followed in assessing agricultural income-tax?

(*d*) If the reply to part (*b*) be in the affirmative, who issued them and under what provisions of the law? Do the Government propose to withdraw such instructions?

(*e*) If the reply to part (*b*) be in the negative, are the Agricultural Income-tax Officers adopting such a method? If so, will the Government be pleased to take steps to put a stop to it and ask their officers to make assessment on the basis of actual income of assessees instead of on their hypothetical assumption and income on predetermined data?

(*f*) Is the supposed income from fruit trees on agriculturists' homestead land being assessed to agricultural income?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Khan Bahadur Mohammed Ali): (*a*) Representations were received from the Jalpaiguri Landholders' Association and the Dinajpur Jotedars' Association.

(*b*) to (*e*) A copy of the instructions issued in the matter is laid on the Table.

(*f*) No. Fruits grown on homestead land for family consumption and not used for any business purpose are left out of assessment.

Statement referred to in reply to parts (b) to (e) of question No. 77.

GOVERNMENT OF BENGAL.

OFFICE OF THE COMMISSIONER, AGRICULTURAL INCOME-TAX, BENGAL.

Memo No. 1970(22)-C

Calcutta, the 27th June, 1946

TO ALL AGRICULTURAL INCOME-TAX OFFICERS

It has been represented to this Directorate that some Agricultural Income-tax Officers are calculating the yield of crops on the basis of average figures of districts as given in the different statistical reports irrespective of the class of lands on which the crops are actually grown and that much hardship is being caused to the assessees in consequence thereof.

2. Such calculations may not represent the actual state of things or its nearest approach and they are bound to give rise to discontent among the assessees. In order to be fair to the assessees it is desirable that the Agricultural Income-tax Officers should find out different classifications of the lands of the assessees and compute the yield on the basis of such different classifications. They should also pay greater attention to find out the kind of crop actually grown and produced on such lands and the actual income normally derived therefrom.

3. It is accordingly directed that the Agricultural Income-tax Officers should henceforward base their assessment on different classifications of land, such as Dahola, Sahori (terms used in Jalpaiguri district), Shali, Danga, Suna or any other term used in any particular local area and on estimated average outturn of the crops grown on each kind of land and the income

derived therefrom. They should also satisfy themselves, as far as practicable, from the papers produced by an assessee and, in the absence thereof, by local enquiries, that the crops under assessment were actually grown on the particular class of land owned by the assessee. Facts must be found on evidence and the assessment based on actual facts and not on imaginary calculations.

S. C. CHATTERJEE,

Commissioner,

Agricultural Income-tax, Bengal.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister be pleased to state whether previous to the instructions issued by the Government, as stated in the answer, there were any other instructions given?

The Hon'ble Khan Bahadur MOHAMMED ALI: Previously?

Mr. NAGENDRA NATH MOHALANOBISH: Yes.

The Hon'ble Khan Bahadur MOHAMMED ALI: I am not aware whether any other instructions were issued earlier but I know that after my assumption of office several representations were received by me and then I found that there was some genuine grievance and it was only after that that these instructions were issued so that the matter may be made absolutely clear without any danger of any assessee being put to any hardship.

Mr. NAGENDRA NATH MOHALANOBISH: After he assumed office, did he see the files in his department, for there must be such files, to see whether there were any instructions as suggested in question (*b*)?

The Hon'ble Khan Bahadur MOHAMMED ALI: As I have said, I am not aware, but what I could gather was that the previous practice was to calculate the yield of crops on the basis of average figures obtained or as given in the different statistical reports of the districts, and it was reported to me that there were several different classifications, for instance, of jotedars who possessed land but were not cultivating them, and therefore an imaginary calculation based on the average yield of land would not be fair to them. To make all these points clear a circular was issued to the various Agricultural Income-tax Officers.

Mr. NAGENDRA NATH MOHALANOBISH: With reference to answer to parts (*b*) to (*c*) it is stated that a copy of the instructions issued in the matter is laid on the table. But we do not find any such instructions laid on the table here.

The Hon'ble Khan Bahadur MOHAMMED ALI: This is the statement which has been printed along with the answer. If the honourable member will please refer to memorandum No. 1970(22)C., dated the 27th June, 1946, printed just below the answer, he will find it.

Mr. NAGENDRA NATH MOHALANOBISH: Thank you.

Permanent Sub-Judge at Jalpaiguri.

78. Mr. NAGENDRA NATH MOHALANOBISH: (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Departments be pleased to state if he is aware that great inconvenience is caused to the litigants owing to want of a permanent Sub-Judge at Jalpaiguri and that suits and appeals necessarily remain pending for a very long time?

(*b*) If so, do the Government propose to appoint a Sub-Judge for Jalpaiguri alone, instead of one for the two districts of Jalpaiguri and Dinajpur?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENTS (the Hon'ble Mr. Jogendra Nath Mandal): (*a*) Yes.

(*b*) The matter is under consideration.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister be pleased to state whether Government would be in a position to come to a decision early?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Yes.

Mr. NAGENDRA NATH MOHALANOBISH: May we know when?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Of course it will not be proper to give a definite date. The file has been put up to me just now and so far as I have been able to gather it is desirable that the matter should be decided as early as possible and I will look into the matter and try to expedite it.

Mr. NAGENDRA NATH MOHALANOBISH: May I take it that this will be done before the end of this year?

The Hon'ble Mr. JOGENDRA NATH MANDAL: There is dearth of officers in the Judicial Department because for the last two years there has been no recruitment and a large number of munsiffs will have to be appointed very soon. The Judicial Department and the Public Service Commission are taking steps to recruit these officers as speedily as possible and as soon as they are appointed, I think, Government will be in a position to appoint a Subordinate Judge at Jalpaiguri

Mr. NAGENDRA NATH MOHALANOBISH: It is a question of only one judicial officer; so are the Government not in a position to appoint one judge for Jalpaiguri?

The Hon'ble Mr. JOGENDRA NATH MANDAL: I will try to place one officer at Jalpaiguri as early as possible.

Assessment and collection of Agricultural Income-tax during the years 1944-45 and 1945-46.

79. Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*a*) what is the amount of Agricultural Income-tax assessed and collected during the years 1944-45 and 1945-46;

(*b*) what has been the total costs of the department in these two years; and

(*c*) what is the net revenue receipt under the head of Agrcultural Income-tax in these two years?

The Hon'ble Khan Bahadur MOHAMMED ALI:

(*a*) Agricultural Income-tax—	Rs.	as.
Assessed in 1944-45	19,866	12
Collected in 1944-45	9,464	0
Refund in 1944-45	Nil	
Assessed in 1945-46	1,00,55,457	1
Collected in 1945-46	90,91,232	0
Refund given in 1945-46	20,231	0

(*b*) Expenditure on assessment and collection of Agricultural income-tax in—

		Rs.
(*i*) 1944-45	...	81,786
(*ii*) 1945-46	...	2,94,338
Total	...	3,76,124

(*c*) Total net receipt in the two years—Rs.90,80,465.

Mr. BIREN ROY: Have the Government cared to make an enquiry and reconcile the difference in assessment in 1944-45, that is Rs. 19,866 only, and the assessment in 1945-46, namely, Rs. 1,00,55,457?

The Hon'ble Khan Bahadur MOHAMMED ALI: The position should have been cleared up after the enactment authorising the assessment of tax on agricultural income. The Department started assessing but the work of assessment could not be completed before the close of the financial year. So the assessment in 1944-45 amounted to Rs. 19,866-12 and the remaining assessment of that year was done in the next financial year, that is in 1945-46, that is why there is such a disparity and the honourable member may rest assured that it is not the assessment of one year. As I have said, this fluctuation in assessment is due to the fact that the work of assessment was started in 1944-45 and it was carried over to 1945-46.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister be pleased to state if it is possible to say after consulting the file what is the exact amount of assessment in 1944-45 and what is the amount in 1945-46?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice I think the honourable member means the figures separately for 1944-45 and 1945-46?

Mr. NAGENDRA NATH MOHALANOBISH: Yes

Aeroplanes for the Governor and the Chief Minister of Bengal.

80. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that the Government of Bengal have decided to purchase an aeroplane for the Governor and another for the Chief Minister? If so, what would each cost?

(*b*) Has retrenchment in all possible directions been made before deciding to undergo this fresh expenditure in the purchase of aeroplanes?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) No. It has, however, been decided to purchase one new two-engined eight-seater De-Havilland "Dove" aeroplane for the use of His Excellency the Governor of Bengal and the Hon'ble Ministers at a total cost not exceeding Rs.2,24,000.

(*b*) In view of the obvious administrative advantages and economy of quick air travel, the question of retrenchment raised by the honourable member appears to be irrelevant.

Mr. LALIT CHANDRA DAS: Have the Government purchased the machine in the meantime?

The Hon'ble Mr. H. S. SUHRAWARDY: I believe, Sir, that attempts are being made to purchase it and contract has been placed but unfortunately we have not yet got delivery of it.

Mr. BIREN ROY: Is the Hon'ble Minister aware that the "Dove" has not yet been produced for use outside England and only one machine has been produced up till now?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not think that the honourable member's information is up-to-date. This aeroplane is being produced for supplies not only to England but also outside and we have with a certain amount of difficulty been able to get a priority place.

Mr. BIREN ROY: Sir, my question has not been answered. I said that only one "Dove" has been produced up till July----

Mr. PRESIDENT: That is not putting a question but supplying information.

Disbandment of Bengal Home Guards.

81. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state if it is a fact that the Bengal Home Guards will be disbanded on the 31st July, 1946?

(*b*) Is it a fact that no provision has been made by the Government of Bengal to provide other services to Home Guards, Adjutants and Assistant Adjutants who were specially suited for this job?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) Home Guard parties excepting those engaged on Railway patrol duties were disbanded on the 30th June, 1946. The paid personnel of the organisation were retained up to the 31st July, 1946. Thereafter those whose services were not necessary for the supervision of the Railway patrols were discharged.

(*b*) In filling up vacancies in Government services, the claims of discharged personnel of the Home Guard organisation will be duly considered along with those of other retrenched civilian employees for whom 50 per cent. of the vacancies have been reserved

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state how many homeguards are still in existence?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not know the figures.

Derequisitioning of properties at Kadihati, Gopalpur and other adjoining mauzas of 24-Parganas.

82. Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister in charge of the Department of Land and Land Revenue be pleased to state the reasons why the Land Acquisition Collector of 24-Parganas served a notice for derequisitioning properties at Kadihati, Gopalpur and other adjoining mauzas of 24-Parganas on the 22nd and 24th July, 1946, without making necessary and proper arrangements for road facilities for access to the said properties as they used to enjoy before the requisition period thereby making it next to impossible for the owners to take possession of their lands?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: A certain length of Sir Ramesh Mitter Road has remained closed to the public; but the area is still accessible by village pathways. A new main road will be constructed in due course.

Mr. HARIDAS MAJUMDAR: Am I to understand that without making arrangements for road facilities these requisition arrangements will not be carried out?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: It was a question of derequisition.

Mr. HARIDAS MAJUMDAR: Yes, but without constructing the road how the owners will go to their properties?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The construction of the new road will be taken up as soon as possible. But there are pathways which lead to these properties.

Mr. HARIDAS MAJUMDAR: Are we to understand that pathways are public roads?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: They are open to the public.

Mr. HARIDAS MAJUMDAR: Do they not belong to private persons?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Public have a right to travel by those pathways.

The Hon'ble Minister's visit to some of the hospitals in Calcutta.

83. Dr. K. S. ROY: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state whether it is a fact that the Hon'ble Minister paid an *in cognito* visit to some of the hospitals in Calcutta?

(*b*) If so, will he kindly state his experience?

MINISTER in charge of the DEPARTMENT of HEALTH and LOCAL SELF-GOVERNMENT (the Hon'ble Khan Bahadur Mohammed Ali): (*a*) Yes.

(*b*) The question is vague.

Dr. KUMUD SANKAR ROY: Had the Minister any object in view when he made the *in cognito* visit or he had no object or that the object was vague?

The Hon'ble Khan Bahadur MOHAMMED ALI: My object was by no means vague. I had some definite object in view. I wanted to find out what treatment is meted out to patients who come to the Casualty Department with some injuries, how long they have to wait before they are attended to, in what manner the officers-in-charge of these casualty wards function and whether they are alive to the fact that immediate attention should be paid to all persons who come to the casualty wards of the hospitals. These were some of my objects.

Dr. KUMUD SANKAR ROY: Was the Hon'ble Minister satisfied with the working of the hospitals?

The Hon'ble Khan Bahadur MOHAMMED ALI: I was not quite satisfied. I found a lot of defects which I am trying to put right.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state in general terms what defects he found?

The Hon'ble Khan Bahadur MOHAMMED ALI: One of them I can state which I noticed during my visit. An injured person was brought in but unfortunately the doctor instead of attending to the wounds or to the injuries paid greater attention in recording a statement from the patient and I thought that when a person is brought into the Casualty ward the first consideration of the officers-in-charge should be to attend to the injured, either give first-aid or medical assistance or medical relief, but instead of doing that they were first concerned with noting down a statement, a very long statement which took more than 5 to 10 minutes and when the patient was practically in agony and groaning. On enquiry I was told that that was a definite instruction which they were carrying out. I thought that was wrong. The first consideration of the doctor in charge of the casualty ward should be to attend to the patients and only afterwards, when every

kind of attention has been given to the patient, there should be the recording of his statement, where necessary. This is one of the defects which I noticed. There were many others but it will serve no useful purpose to enumerate them at length here but I can assure the honourable members that immediate action is being taken so that these defects are removed.

Mr. BIREN ROY: What about the diet and the discrimination in diet and the qualities thereof?

The Hon'ble Khan Bahadur MOHAMMED ALI: This diet question was not gone into during the *incognito* visit that I paid. I may however tell the honourable member that I paid several other visits subsequently and I did go to the kitchen and also visited almost all the different wards of the various hospitals in Calcutta. So that is a different question altogether. I did visit the kitchen but on a different occasion.

Distribution of Civil List and Educational Section of "Calcutta Gazette" to members of the Legislature.

84. Mr. BIREN ROY: Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state—

(*a*) if he would consider immediately the advisability of distribution of the Bengal Civil List to the members of the Legislature; and

(*b*) if he would resume publication of the educational section of the *Calcutta Gazette*, or, make available the educational portion of the *Calcutta Gazette* to the members of the Legislature?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) If the paper position permits copies of the next issue of the Bengal Civil List will be made available to members.

(*b*) The educational section of the *Calcutta Gazette* is for reasons of paper economy, published separately once a month, and is known as the *Bengal Education Gazette*. When the paper position permits, copies of the *Bengal Education Gazette* will be made available to members of the Legislature.

Mr. BIREN ROY: With reference to answer (*b*) will the Hon'ble Minister be pleased to consider the position about the *Bengal Education Gazette* which is published only monthly and see that it is made available to the members of the Legislature?

The Hon'ble Mr. H. S. SUHRAWARDY: When the paper position permits.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: There are many members who are willing to purchase the Bengal Civil List and can it not be made available to such members?

The Hon'ble Mr. H. S. SUHRAWARDY: The fact is not merely a question of economy and of stopping free supply. The question is of inadequacy of the amount of paper made available to us and if the paper position permits we shall be very glad to send surplus copies to hon'ble members.

Dairy Industry.

85. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state what measures and steps have been taken and will be taken and what special plans or schemes have been put into operation and will be put into operation for the early development of dairy industries in Bengal on modern scientific method?

(*b*) If so, what are they?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Department of Agriculture, Forests and Fisheries): Government have taken the following measures for the development of dairy in Bengal:—

(1) A scheme for Dairy Development has been undertaken in collaboration with the Government of India. The staff employed under this scheme will, in the first instance, collect relevant data in areas within easy reach of Calcutta, Dacca and Chittagong about the production and distribution of milk. On the basis of these data suitable development schemes will be formulated for augmenting the milk supply of those areas.

(2) A scheme for the establishment of a Central Livestock Breeding-*cum*-Research Station at Haringhata has been sanctioned. The programme of work under this scheme in respect of dairy is as follows:—

(*i*) to improve the quality of village milk under Bengal conditions,

(*ii*) to ascertain normal variations in the quality of milk and milk products and to fix suitable standards for judging the purity and the quality of milk and milk products under Bengal conditions,

(*iii*) to tackle different problems connected with the improvement of milk supply of Calcutta and other smaller towns, and

(*iv*) to improve the manufacture of milk products in common use in Bengal.

This scheme also provides for the setting up of an experimental dairy farm where the economics of commercial production of milk on modern lines will be studied.

(3) A scheme for the improvement of *goushalas* and *panjrapoles* in this Province has been sanctioned with financial assistance from the Government of India. This scheme, besides making better provision for asylums for the unproductive stock, has a direct bearing on the augmentation of milk supply and the improvement of livestock generally.

Mr. ABDULLAH-AL-MAHMOOD: Will the Hon'ble Minister please state whether any practical steps have been taken in the matter except the formulation of a scheme and the employment of some officers?

The Hon'ble Khan Bahadur MOHAMMED ALI: A scheme has been sanctioned——

Mr. ABDULLAH-AL-MAHMOOD: Yes, that we have seen in the answer. My question is whether any practical steps have been taken except the formulation of a scheme and the employment of officers

The Hon'ble Khan Bahadur MOHAMMED ALI: Will the honourable member please explain what he means by "practical"?

Md. ABDULLAH-AL-MAHMOOD: What I mean is this, whether any effective steps have been taken anywhere, experimental or whatever it may be, for the formulation of a scheme; the employment of a staff is not the only means to give practical effect to any plan.

The Hon'ble Khan Bahadur MOHAMMED ALI: Effective steps have been taken.

Mr. ABDULLAH-AL-MAHMOOD: What effective steps have been taken?

Mr. NAGENDRA NATH MOHALANOBISH: What steps have been taken to augment the production of milk in the mofussil towns?

The Hon'ble Khan Bahadur MOHAMMED ALI: Will the honourable member please repeat the question? I am sorry I could not follow him.

Mr. NAGENDRA NATH MOHALANOBISH: It is this: In the answer it is stated that you are making certain arrangements for the augmentation of supply of milk. What steps have actually been taken to this end in the mofussil towns except in Calcutta, Dacca and Chittagong?

The Hon'ble Khan Bahadur MOHAMMED ALI: As I have stated already, this is a Central Live-stock Breeding Research Station where certain experiments are undertaken by Government to improve the condition of milk supply and so as to find out under Bengal conditions how the supply of milk can be improved not only in Calcutta but also in the mofussil towns of the province and effective steps on the basis of experience of the working of this research station will be taken by Government in due course.

Wheat from the Punjab.

86. Alhadj Khan Bahadur SHAIKH MOHAMMAD JAN: Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state—

(*a*) whether it is a fact, that as stated by Sir Choturam, Revenue Minister of the Punjab, the Government of Bengal pay to the mills Rs.4 per maund for milling charges; and

(*b*) if he is aware that in Calcutta private mills without any commission to the brokers charge Re.1-4 to Rs 1-8 per maund for milling wheat?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) Yes; in 1943 Government paid a differential (to cover actual milling charges, the cost of gunnies and incidentals) of Rs.3-8 per maund of *atta* and Rs.4 per maund of flour. These were, however, reduced gradually and finally to Re.1-1 for *atta* and Rs.3-9 for flour on the 1st January, 1944.

(*b*) No.

Mr. BIREN ROY: In view of answer (*a*) would the Hon'ble Minister please consider the advisability of having an enquiry made and getting these mills refund this amount of difference between Rs. 1-1 for *atta* and Rs. 3-8 which was paid, as is being done in many military contracts?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I have already said that I do not know whether any such commission was charged by the mills and therefore I do not think I am in a position to start an enquiry

Mr. BIREN ROY: It is stated that Rs 3-8 was paid and then subsequently, by January, 1944, it was reduced to Rs. 1-1, the difference being Rs. 2-7: my question is whether an enquiry can be instituted now and get the mills to refund the amount which is such a heavy sum

The Hon'ble Khan Bahadur GOFRAN: The money was already paid and the rate was gradually reduced: so I do not think any question of refund arises at present.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister be pleased to state whether, having regard to the abnormal high cost of milling in the Punjab the Government of Bengal consider it necessary to have their wheat milled here in Bengal?

The Hon'ble Khan Bahadur ABDUL GOFRAN: At present it is milled in Bengal.

Mr. NAGENDRA NATH MOHALANOBISH: Is the entire wheat being milled in Bengal, because in the mofussil we do not get wheat at all?

The Hon'ble Khan Bahadur ABDUL GOFRAN: There is plenty of wheat in the mofussil.

Mr. BIREN ROY: Could not the mills be asked for a refund in view of the high rate charged?

The Hon'ble Khan Bahadur ABDUL GOFRAN: The amount has already been paid and there is no question of refund

Mr. HAMIDUL HUQ CHOWDHURY: With reference to answer (*a*), will the Hon'ble Minister be pleased to state what was the basis of fixing the rate of Rs 3-8 per maund of *atta* when they sanctioned it?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I ask for notice.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Will the Hon'ble Minister be pleased to state whether it is not a fact that at the time when the rate was sanctioned, the high rate had to be sanctioned on account of non-availability of wheat and high labour charges in Bengal?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Yes, that is so.

Mr. BIJOY SINGH NAHAR: Sir, in answer to Mr Azizul Haque's question whether the high rate was sanctioned in view of the high labour charge in Bengal the Hon'ble Minister said "yes" Will he please explain what he means by the answer "yes"?

The Hon'ble Khan Bahadur ABDUL GOFRAN: On account of all these considerations the charges had to be so high

Mr. HAMIDUL HUQ CHOWDHURY: Did the Hon'ble Minister consider all these things at the time of fixing the rate at Rs 3-8?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, at that time there was the Wheat Advisory Committee formed by the Government and it was this Committee that fixed the charges

Mr. NAGENDRA NATH MOHALANOBISH: On a point of order, Sir Is the Hon'ble the Chief Minister entitled to answer on behalf of the other Hon'ble Minister?

Mr. PRESIDENT: That is not the practice but if the Chief Minister is prepared to satisfy the curiosity of the House I would not stand in the way

The Hon'ble Mr. H. S. SUHRAWARDY: At that time the composition also of the *atta* and flour was different from what it is now They were blacker. Further, Government could not guarantee constant supply to the mills Now Government is in a position to do so, because the Government of India are sending wheat regularly and they have been able to put it on a proper footing. So, all these milling charges were fixed under the advice of the Wheat Advisory Committee that was set up by Government.

Stock of foodgrains freezed in 1943 in Bihar.

87. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state whether it is a fact that stocks of foodgrains sufficient to feed 40,000 adults for one year were freezed last year (1943) in the traders' godowns in Bihar?

(*b*) Is it a fact that those grains were mostly purchased by Messrs. Ispahani & Co as agents of the Government of Bengal?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) Stocks purchased by this Government in 1943 in Bihar sufficient roughly to feed 40,000 persons for a year were frozen by the Government of Bihar

(*b*) It is a fact that the grains were mostly purchased by Messrs. Ispahani & Co. as agents of the Government of Bengal

Granting of licence for sale of cotton cloth and yarn to one Abdul Malik Khan of Faridpur and another.

88. Mr. HUMAYUN KABIR: (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state if it is a fact that 30th September, 1944, was fixed by the Provincial Controller of Textiles as the last date for issue of licences for sale of cotton cloth and yarn?

(*b*) Is he aware that licences on special grounds were issued by the Subdivisional Officer, Faridpur, to Abdul Malik Khan, brother of Abdus Salam Khan, Secretary of the District Muslim League, on the 30th November, 1944, and to another dealer who is a member of the Muslim League, on the 1st December, 1944?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) The Provincial Controller of Textiles had fixed 30th June, 1944, not 30th September, 1944, as the last date for issue of licences for sale of cotton cloth and yarn But the Subdivisional Officers in general were advised to issue licences on special grounds to such persons as were not in the business from before, even after expiry of the date fixed This discretionary power was withdrawn by Confidential Government Circular No 9494(93)-C G , dated the 29th December, 1944.

(*b*) Licences on special grounds were issued by the Subdivisional Officer, Sadar, not only to Abdul Malik Khan but to twenty-four others The issue of these licences had nothing to do with the party affiliations of applicants

Mr. ABDULLA-AL-MAHMOOD: Will the Hon'ble Minister be pleased to state whether he is in a position to read out the 24 other names to whom the licences were issued after the fixed date?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I want notice

Scarcity and maldistribution of coke.

89. Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state

(*a*) whether the Government of Bengal have got any hand in the matter of allocation of wagons for supply of coke in the districts of Bengal; if so, who is in charge of it, and, what part the Government of Bengal take in such allocation,

(*b*) whether he is aware that there is great scarcity of coke and consequent acute distress and serious inconvenience to the people in the muffasil, if so, what steps have been taken or are proposed to be taken to ease the situation,

(*c*) whether the Government have directed the District Magistrate or Department of Civil Supply to distribute the coke fairly and equitably amongst all, including officials and non-officials, and that without any preference to anybody; and

(*d*) whether he proposes to get the coke distributed equitably through non-official committees or agencies?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) No The Provincial quota of wagons is fixed by the Government of India This is re-allocated to the different parts of the Province by the Director-General of Consumer Goods in the Civil Supplies Department of this Government It is the

responsibility of the Coal Commissioner under the Government of India to arrange for the supply of wagons and also for the actual supply of coke to the parties concerned who are, in all cases, the nominees of District Magistrates.

(*b*) Yes. As the result of representation made by the Government of Bengal, the Provincial quota has been increased by 700 wagons per month.

(*c*) and (*d*) The District Magistrate is responsible for equitable distribution within his district and it is not proposed to interfere with his discretion unless any definite complaint has been received.

Adjournment Motion.

Mr. PRESIDENT: Order, order. I have received notice of an adjournment motion from Mr. Lalit Chandra Das which runs as follows:

"That this Council do adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the failure of the Government to maintain law and order, peace and tranquillity in the city of Calcutta as from the 16th August last for full four days, resulting in riots of unparalleled savagery, casualties mounting to about 5,000 killed and about 10,000 wounded, besides breaking of shops and houses, setting them on fire and looting of properties worth crores of rupees, no proper and timely steps having been taken to prevent them occurring."

Now I have given my consent to this adjournment motion. May I know if the honourable member has the leave of the House? Those members who are in support of the motion will kindly rise in their seats. (The members stood in their seats.)

The Hon'ble Mr. H. S. SUHRAWARDY: May I say a word? I welcome all opportunities within the Legislature to discuss one of the greatest, if not the greatest calamity, which has overtaken Calcutta.

Mr. LALIT CHANDRA DAS: On a point of order, Sir. Those members who supported the adjournment motion stood in their places but you have not declared as yet whether the requisite number stood.

Mr. PRESIDENT: More than 15 members have risen in their seats. That is all right.

The Hon'ble Khan Bahadur MOHAMMED ALI: The honourable member need not have raised a point of order. As there was no objection from any quarter in the House, the adjournment motion will be discussed on the floor of the House. So the question raised by the honourable member does not arise at this stage.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I welcome all opportunities within the Legislature to discuss one of the greatest, if not the greatest calamity, which has overtaken Calcutta. I had hoped, Sir, that the honourable members would discuss this matter on a motion of no confidence, notice of which, I find, has been placed on the table. But as the honourable members do not wish to do so I find myself in somewhat of a predicament because this matter is of such portentous dimensions that it can hardly be considered within the limits and the limitations of an adjournment motion. If it had been discussed as a no-confidence motion the House would have had ample opportunities to express its view and I too would have had some time to place all the facts relevant to the riot before the House which I could hardly place, say within 15 minutes, the time allowed for reply and, therefore, Sir, I am only making a suggestion to the honourable members opposite for their consideration. Within the time allowed for an

adjournment motion it will not be possible to place all the facts and arguments before the public and so far as I am concerned I too shall have to consider that my reply should be as compressed as possible and put in a tabloid form. If I have to place the point of view of the Government before the House I do not think, Sir, that I will be able to do it under two hours. I shall therefore have to place before this House all the materials in as compressed a form as possible I would like to make a suggestion. Already the time is passed. There is no urgency from the point of view of an immediate discussion On the other hand I should think that an immediate discussion on the point before we have settled down in this House the legislative business to be done in connection with the riot may have unfortunate repercussions. I would suggest for the consideration of the honourable members and of the leaders of all parties if they could fix some time next week, and I would suggest about the 18th of this month, for the purpose of the consideration of the motion The reason why I make this suggestion is that, as I have said, I do not like to place my points in a tabloid form, otherwise I would assure the honourable members that the consideration of this important matter will be most unsatisfactory, and it would not be giving a fair chance to the Government to place their point of view before the public and the House. On Monday we are going to have a very important Bill which will have to be placed before the House and which I hope the House will pass without any demur, for it concerns the setting up of a Commission of Enquiry, and it is necessary that we give this Commission of Enquiry the necessary power for holding the enquiry. Then, if this matter is somehow left over and goes on till Tuesday, I think Wednesday would be the most suitable date when we shall be agreeable to place all the facts before the House. Therefore, I earnestly trust that the leaders of the various parties will accept my suggestion

Mr. LALIT CHANDRA DAS: Sir, so far as the fixing of a date is concerned, we would have liked to take up the motion even tomorrow, but it appears that the Hon'ble the Chief Minister wants that it should be some day next week, preferably Wednesday, convenient from his point of view; but I think it is a matter of great urgency and we should have moved the adjournment motion even on the 2nd September had there been no adjournment. Now it is getting too late. But in spite of that in order to accommodate the Chief Minister we may agree to Monday at the latest. The motion may stand over till Monday at the latest.

Mr. PRESIDENT: Order, order The usual practice is to take up an adjournment motion at the earliest opportunity. I believe in the Houses of Parliament it is done on the very day that an adjournment motion is tabled. Here, for obvious reasons we have got to take up such motions on the next day because an adjournment motion can be discussed for two hours and our sitting is confined to two hours. So it is almost impossible for this House to take up an adjournment motion on the same day. It is now proposed that we should take it up on the 18th, that is Government's suggestion and Mr. Lalit Chandra Das, the mover of the motion, says that it should be taken up on Monday, the 16th. (Mr HAMIDUL HUQ CHOWDHURY: No, Sir.) Well, I have not given any decision on this matter. Only one day intervenes between the 16th and 18th and I think that if the House is really anxious to listen to the Government's view-point whose policy will be criticised—probably it would be better to take up this motion on the 18th Mr. Dutta, what is your view? Should it be taken up on the 16th or on the 18th?

Mr. KAMINI KUMAR DUTTA: Some members of my party will be very much inconvenienced if the adjournment motion is taken on the 18th. Can it not be fixed for the 17th, Sir?

The Hon'ble Mr. H. S. SUHRAWARDY: The legislation which we propose to move on the 16th is of even greater importance. If that proposal is carried over for one day further, then we shall have to go over to the 17th. Government desire that the legislation that will be passed by this House on Monday should be placed before the Assembly as soon as possible. Possibly we cannot afford to take the motion earlier; if by some mischance the legislation is carried forward to the 17th that will interfere so seriously with the budget business of the other House that we may not be able to get the legislation through. It is on this ground that after considering all points of view that this legislation must be put through this session that I have suggested 18th There is no point in having it one day earlier and I do not think it will make a great difference or it will cause any great inconvenience to the honourable members if it is delayed by one day inasmuch as the factor involved is of tremendous importance In these circumstances, I hope the honourable members will accept the proposal which I have put before them.

Mr. KAMINI KUMAR DUTTA: Sir, some honourable members would be inconvenienced if it is taken up on the 18th So we prefer to have it on the 17th——

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Is it the adjournment motion or the no-confidence motion?

Mr. KAMINI KUMAR DUTTA: No-confidence motion will not be moved here in this House, we are not going to move it here It can be better discussed in another place, where the number of representative members is larger

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I hope the honourable members will accept 18th for discussing the adjournment motion We have got three very important things to be taken up, one is the Calcutta Disturbances Commission of Enquiry Bill, the other is the Bill regarding speedy disposal of cases that too is of the greatest importance, and there is the Calcutta Improvement (Howrah Amendment) Bill The matters arising out of these riot cases must receive our first attention We must get through these things before we disperse for the Puja holidays The business has been arranged according to the days available and any dislocation may cause very serious repercussion on the legislative business of the Legislature.

Mr. NAGENDRA NATH MOHALANOBISH: May I submit one word, Sir? We were to discuss this matter on the 2nd September last but on the suggestion of the leaders of different groups it was postponed for ten days. If it is a question of taking time, they had enough time for the preparation of a full statement during these days So there is no reason why the adjournment motion, so kindly admitted by you today, should stand over till 18th If Government could waste these 10 or 12 days, I submit, Sir, they can wait one day more We can at the most wait till 17th as has been stated by the Leader of the Opposition If it is taken up on the 18th it will cause many members on this side of the House extreme inconvenience. I would therefore most respectfully ask you to consider our view point and fix the date.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, this is the first time that I hear Government being criticised for having the House adjourned from 2nd to 12th September. I think it was done for making every effort to ease the situation then prevailing which would permit the members to come to the House with safety. The honourable members also realised that the matter could not have been taken up on the 2nd. However, that matter is closed and finished. The legislation that we are proposing could not have been moved on the 2nd and consequently it is not a failure of duty on the part of Government that we did not place the matter on the 2nd September.

It is after all a question of one day and I really fail to understand how the hon'ble members, in view of the important legislation before them, are fighting for this extra day. I hope they would be reasonable and now it is up to you, Sir, to make a reasonable suggestion.

Mr. PRESIDENT: Mr. Morgan, may I have your views on this matter?

Mr. C. MORGAN: I have none. It makes no difference to us at what time it takes place. I would rather wish the legislative business going on.

Mr. PRESIDENT: Mr. Dutta, then do you stick to 17th September?

Mr. KAMINI KUMAR DUTTA: I find members of my party insistent on bringing this matter on the 17th.

Mr. PRESIDENT: All right, in that case I would fix it for the 17th. Because it is certainly the privilege of the Opposition to move an adjournment motion. So, I should look to the convenience of the Opposition and I fix 17th September for the discussion of the adjournment motion.

Mr. HAMIDUL HUQ CHOWDHURY: At what time?

Mr. PRESIDENT: At 11 O'clock.

The Calcutta Rent Control Bill, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, may I ask for extension of time for the submission of the Report of the Select Committee of the Calcutta Rent Control Bill, 1946? The Committee could not sit during these days. So, the time may be extended up to the 20th September.

Mr. PRESIDENT: Please do. Up to what date?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: As some members want to extend the time up to the 23rd September, I ask for your permission to extend the time up to that date.

Mr. PRESIDENT: Leave has been asked by the Hon'ble Minister for extension of time for submission of the Report of the Select Committee up to the 23rd inst. Is it the pleasure of the House that the time be extended——

Mr. C. MORGAN: Sir, if the Rent Control Ordinance ends on 30th September what is going to happen during the interregnum?

Mr. PRESIDENT: When is the Ordinance going to expire?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On the 30th September, Sir. A fresh Ordinance will have to be promulgated. But in any case we want to get the Bill through in this House before we disperse.

Mr. PRESIDENT: Is it the pleasure of the House that the time be extended up to 23rd September, 1946.

(Cries of "Yes, yes".)

The time is extended up to 23rd September, 1946.

Governor's Assent to Bill.

Mr. PRESIDENT: I have now to inform honourable members that the Bengal Finance (Extending) Bill, 1946, which was passed by both Chambers of the Bengal Legislature has been assented to by His Excellency the Governor under the provisions of section 75 of the Government of India Act, 1935.

Message from the Assembly.

Mr. SECRETARY: Sir, the following message has been received from the Bengal Legislative Assembly, namely:

"Message.

The Bengal Legislative Assembly at its meeting held on the 12th August, 1946, agreed to the Bengal Repealing and Amending Bill, 1945, as passed by the Bengal Legislative Council without any amendments.

Sd. NURUL AMIN,
Speaker,
Bengal Legislative Assembly."

CALCUTTA,
The 14th August, 1946.

The Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: I beg to move that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, as passed by the Bengal Legislative Assembly be taken into consideration.

Sir, honourable members know that the Bill proposes to raise the existing tax on motor spirit from 3 annas to 6 annas. It was originally proposed to raise this tax from 3 annas to 8½ annas and subsequently it was felt that such a steep rise will not be welcomed by the members of the Legislature and by the people in this province. Therefore Government agreed to raise it from 3 annas to 6 annas only. The members of this House are aware of the heavy deficit that we are faced with and are also aware of the big gap between our expected receipts and our expenditure and therefore every available source of revenue will have to be tapped and it was felt that by increasing the rate of petrol tax we shall not be putting any undue hardship on the people who are poor but that we will be putting this burden only on those persons who are able to bear it. So it was with this view that we suggested the raising of the tax in order to augment our revenues. I hope the members of this House will readily agree to the proposed increment in the rate of tax on motor spirit.

Mr. PRESIDENT: Motion moved that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, as passed by the Assembly be taken into consideration.

Mr. BIREN ROY: Sir, in opposing this motion I have to point out that we do not agree with the observations of the Finance Minister that the increase of this tax on motor spirit is not going to affect the poor or the common people. The other day he said that it might affect the people who for pleasure and other purposes use a motor-car but that is entirely besides the point because an ordinary person's basic ration is not so much now-a-days as to give the Hon'ble Minister a substantial sum from taxation only on account of the basic ration issued to the ordinary motor-car owner. Most of the motor spirit is used by buses as public transport and by lorries which deliver the consumer's goods to various parts of the country. The taxation in 1942 was 1 anna 6 pies per gallon. All on a sudden it was raised to 3 annas in 1945 and the Hon'ble Minister is not satisfied with it. As soon as he has come into his *guddie* he wants it to be raised. First of all he proposed to raise it from 3 annas to 8 annas and then some good sense dawned on him and he has reduced it to 6 annas. I did give notice of an amendment to reduce the figure from 6 annas to 4½ annas but I am informed

that that amendment is not going to be allowed to be moved as the Governor has refused his permission to that amendment, and as such, I have no other option but to oppose this motion. Otherwise we could have agreed to an increase in this taxation from 3 annas to 4½ annas. The price of the motor spirit was reduced in Bengal on account of the reduction of such taxation by the Central Government and the Government of Bengal try to take advantage of it immediately by an increase of the duty thereby adding to the price of motor spirit when the prices of consumer goods could have dropped a little. They have already taken into their heads to increase the sales tax and now the addition in this tax will merely add indirectly to the tax payable by the common man. Therefore we do not agree with the observations of the Finance Minister. Besides in the Budget Estimates his original idea was to get approximately 75 lakhs of rupees from this taxation. In view of the fact that the basic ration is now going to be raised by 00 per cent, and the provincial tax on motor spirit at the present moment in Bengal being three annas per gallon, that proposal to increase it to six annas is not necessary at all for if the tax was fixed at four annas and a half as I suggested in an amendment, then we should have been able to compensate the Hon'ble Finance Minister for his requirements. But instead of 75 lakhs in that case he would now be expecting perhaps a crore or a crore and twenty thousand. In view of all this, I say that this taxation should not be imposed on the people of this province.

The Hon'ble Khan Bahadur MOHAMMED ALI: In order to reply to Mr. Biren Roy I would first of all like to draw his attention to the fact that as a motor car owner he is perfectly aware that for a period of over two years he has been paying on an average Rs. 2 per gallon as the price of petrol, and it has been found that the overall price of petrol has fallen by about 5½ annas. By raising the tax from three annas to six annas we are expecting to absorb only a part of this fall in the dealers' overall price of petrol. I should also like to draw the attention of the members of this House to the fact that the fares of taxis and buses in Calcutta have all been adjusted to the two rupee price of petrol. Therefore, by this increase in the tax the fares of buses and taxis will not be affected at all; so that question does not arise. Therefore, if there is a fall in the overall price of petrol that benefit goes to the Transport Companies. We shall get a part of the profits of the transport companies and it will not affect the man in the street who travels by bus or taxi. Therefore, the argument of Mr. Biren Roy that the poorer classes of people will be affected falls to the ground and is not entirely correct. Another point that has been referred to by him is that by raising the quantity of rationed petrol of a motor car owner the revenue will increase considerably. That is a fallacy, for he has not taken into account the fact that we were selling a lot of petrol to the military authorities in Calcutta, but that that sale is gradually diminishing with the result that the revenue under this head is also diminishing. Therefore, if we raise the price by taxation to six annas we expect a sum of Rs. 40 lakhs. On account of this delay in passing this legislative measure some several lakhs of rupees have already been lost to us, about more than Rs. 23 lakhs. Therefore, for the reasons outlined above, namely, that this tax will not fall on the shoulders of the poor I hope the House will not object to accepting my motion.

Mr. PRESIDENT: Order, order, the question before the House is that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, as passed by the Assembly, be taken into consideration.

(The question was put and agreed to.)

Mr. PRESIDENT: Order, order. There is one amendment by Mr. Biren Roy to clause 2 of the Bill. But the Governor refused consent, so it cannot be moved.

Clause 1.

Mr. PRESIDENT: Clause 1 stand part of the Bill.
The question before the House is that clause 1 stand part of the Bill.
(The motion was put and agreed to.)

Clause 2.

Mr. PRESIDENT: Clause 2 stand part of the Bill.
The question before the House is that clause 2 stand part of the Bill.
(The motion was put and agreed to.)

Clause 3.

Mr. PRESIDENT: Clause 3 stand part of the Bill.
The question before the House is that clause 3 stand part of the Bill.
(The motion was put and agreed to.)

Title and Preamble.

Mr. PRESIDENT: The question before the House is that the Preamble and Title stand part of the Bill.
(The motion was put and agreed to.)

The Hon'ble Khan Bahadur MOHAMMED ALI: I beg to move that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, as settled in the Council be passed.

Mr. PRESIDENT: Motion moved that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, as settled in the Council be passed.
The question before the House is that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, as settled in the Council be passed.
(The motion was put and agreed to.)

The Calcutta Disturbances Commission of Enquiry Bill, 1946.

Mr. PRESIDENT: Order, order. Tomorrow is a non-official day. But there is one very urgent matter which is an official business which has got to be included in the agenda for tomorrow due to the special urgency of the item, namely, the introduction of the Calcutta Disturbances Commission of Enquiry Bill, 1946—merely the introduction—and then we shall proceed with the non-official business, namely, Special Motion and Resolutions.

Distribution of Order papers and other papers to the members.

Mr. PRESIDENT: There is another point about the distribution of order papers and other papers to honourable members. We find that it is rather difficult to arrange distribution of order papers and other papers in time due to the difficulties of postal service. Now the suggestion is that the system we have been following of late, namely, distribution through cycle peons, should continue. Is it the general desire of the House that this system should continue?
(VOICES: Yes, yes.)

Closing of visitors galleries.

Mr. PRESIDENT: There is another question on which I would like to have your views. Today all the visitors galleries are closed to the public. I took this decision on my own responsibility without consulting the House. Now, should the present arrangement continue or should it be relaxed?

(SEVERAL VOICES: The present arrangement should continue.)

Mr. HAMIDUL HUQ CHOWDHURY: It may be relaxed, Sir.

Mr. PRESIDENT: I think the general opinion is against it. I have ascertained the views of the House.

Order, order. The House stands adjourned till 10 a.m. tomorrow.

Adjournment.

The Council then adjourned till 10 a.m. on Friday, the 13th September, 1946.

Members absent.

The following members were absent from the meeting of the Council, held on the 12th September, 1946:—

(1) Khan Bahadur Syed Abdur Rashid Chowdhury,

(2) Khan Bahadur Shaikh Fazal Ellahi,

(3) Mr. Mangturam Jaipuria,

(4) Alhaj Khan Bahadur Sk. Md. Jan,

(5) Mr. Humayun Z. A. Kabir,

(6) Maulana Md Akrum Khan, and

(7) Mr. F. C J Steuart.

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 18.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 13th September, 1946, at 10 a.m., being the 18th day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.), was in the Chair.

QUESTIONS AND ANSWERS

Qualifications required for inspecting vaccine laboratories.

90. Mr. B. K. ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) what are the qualifications laid down in the Drug Act, 1940, for those who may inspect such laboratories as Vaccine Laboratories; and

(*b*) whether the three doctors, viz., Dr. Grant, Dr. Pasricha and Dr. Ghosal who recently inspected the Calcutta Corporation Vaccine Laboratory and submitted report regarding its conditions to the Government have the necessary qualifications under the Drug Act, 1940?

MINISTER in charge of the DEPARTMENT of HEALTH and LOCAL SELF-GOVERNMENT (the Hon'ble Khan Bahadur Mohammed Ali): (*a*) The Drugs Act, 1940, does not prescribe the qualifications of inspectors. Rules under that Act have, however, been framed by the Provincial Government early this year prescribing *inter alia* the qualifications of inspectors. As the Drugs Act has not yet been brought into operation, the rules are inoperative as yet.

(*b*) Does not arise.

Post-War Reconstruction Projects.

91. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state what are the Post-War Reconstruction Projects, Schemes and Plans (*i*) which have already been put into operation in Bengal, and (*ii*) which would be put into operation within next five years from 1946, by the Government of Bengal?

(*b*) What will be the total cost of these projects, plans and schemes, and how much of total cost of this would be contributed by the Government of India?

(*c*) Is it a fact that the Post-War Reconstruction Scheme for free and compulsory primary education has not been approved by the Government of Bengal?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Chief Minister's Department): (*a*)(*i*) A statement is placed in the Library.

(*ii*) A copy of the preliminary draft of a Five-Year Plan prepared during the Section 93 Administration has been laid in the Library. The portion not included in the statement I have just referred to remains to be finalized.

(*b*) The total cost involved in these schemes representing the Five-Year Plan as it stands at present is roughly Rs.160 crores. Government of India have tentatively agreed to a grant of Rs.69 crores on a *per capita* basis pending the adoption of a more rational basis of distribution of central surpluses.

(*c*) No.

Travelling by ferry boats in the interior of Bengal.

92. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Department of Works and Buildings be pleased to state if the Government are aware that considerable portions of Bengal's interior are served by ferry boats and that travelling by ferry boats is not only inconvenient but fraught with grave danger to life and property?

(*b*) Do the Government propose to consider the desirability of getting these ferry boats registered, numbered and licensed and the capacity of each boat mentioned and strictly observed and for this purpose appoint inspectors to supervise and inspect the condition of the boats?

(*c*) Do the Government also propose to consider in this connection the desirability of getting the names of the boatmen or *majhis* registered to afford the passengers due protection against their rude behaviour or against their colluding with thieves and dacoits?

(*d*) Do the Government propose to consider these suggestions for acceptance? If so, will the Government carry them out without delay? If not, why not?

MINISTER in charge of the DEPARTMENT of WORKS and BUILDINGS (the Hon'ble Mr. Jogendra Nath Mandal): (*a*) There are ferries all over the Province, but travelling by them is not fraught with danger to life and property except during heavy storms.

(*b*) to (*d*) Public ferries are managed by local bodies which lease them out. The lessees have to execute leases embodying conditions under the rules framed under the Bengal Ferries Act, and are also required to mark the capacity and other details on the ferry boats. Separate registration of boats and boatmen is not considered necessary.

Mr. BIREN ROY: Does the Hon'ble Minister consider the boats or the ferries as a means of public transport?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Of course this is a question of opinion and it may be taken either way. Up till now it has not been considered as a public transport.

Mr. BIREN ROY: How is it? Municipalities lease out ferries as has already been pointed out by the Hon'ble Minister in charge and they are a form of public transport—these ferries. I do not know whether it is a question of opinion or fact.

Mr. PRESIDENT: He has not taken objection. He has just mentioned it and given his opinion.

Mr. BIREN ROY: If the boats are a means of transport then as the rickshaws and rickshaw pullers are registered why should the boats and *majhis* should not be registered?

The Hon'ble Mr. JOGENDRA NATH MANDAL: I think the answer to the question just put by the honourable member is contained in my answer to part (*d*) because the local bodies while leasing out these ferries have leases executed and certain conditions are imposed in them and I feel that the answers are contained in it.

Mr. BIREN ROY: Will the Hon'ble Minister be pleased to consider that he would authorise these local bodies to have the *majhis* and the boats registered under the rules framed by them?

The Hon'ble Mr. JOGENDRA NATH MANDAL: It is not necessary for the Government to authorise them because they are self-governing and autonomous. They can do it if they like.

Mr. LALIT CHANDRA DAS: Arising out of (*c*), do the Government consider that due protection should be given to the passengers travelling in these ferries as against thieves and dacoits and even against the rude behaviour of the *majhis*?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Up till now it was not considered necessary by the Government because in a ferry a large number of passengers go together and there is a certain number of *majhis* also. Therefore it was not considered necessary to give any protection to the travelling public. They were sufficiently strong by themselves and not many cases of such dacoities and thefts committed in boats reached the notice of Government. So far as I remember one *gohona* boat was attacked by a gang of dacoits in the district of Barisal and this matter was not raised in the press and it did not receive any public attention. If the honourable members so desire of course Government may examine the subject.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Will the Government please state if there has been some agitation for the opening of a regular ferry service between the mainland of Noakhali and Sandwip and Hatia and if so what does Government propose to do with it?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Of course the question of a regular ferry service between the places mentioned by the honourable member was never raised before but there is a proposal before the Government to provide some steam launch ferries where boat ferries are not safe.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Has not the attention of the Government been drawn to the repetition of accidents which have happened to the passenger-carrying country boats operating between the mainland of Noakhali and Sandwip and Hatia and in view of this fact will the Government be pleased to include this proposal as an urgent one in their post-war schemes and make an effort to see that a regular steamer service between the places mentioned is opened by the end of this year?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Of course Government are prepared to take note of it and give priority to this proposal.

Increase in the cadre of I.C.S. and I.P.S. in Bengal, and appointment of Britishers in those posts.

93. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Chief Minister's Department be pleased to state—

(*a*) whether the Government of India had asked the Government of Bengal for increase in the permanent cadre of the I.C.S. and the I.P.S.;

(*b*) whether the Advisor Regime recommended such increase;

(*c*) whether the Government of India had asked the Government of Bengal to accept Britishers for appointment in war vacancies;

(*d*) if so, what has been the reply of the Government of Bengal thereto;

(*e*) how many such vacancies are there now in Bengal; and

(*f*) how many have so far been filled up and by whom—Europeans or Indians?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Chief Minister's Department): (*a*) and (*b*) No: in the autumn of 1944 the Government of India appointed a Special Officer

to examine and report upon the post-war requirements of the I.C.S. and I.P. cadres in all Provinces. The Government of Bengal have no information regarding the action taken on the Special Officer's report.

(*c*) No.

(*d*) Does not arise.

(*e*) and (*f*) From 1939 to date the total casualties in the Bengal cadre of the I.C.S. have been 35—25 European officers and 10 Indian. Recruitment during this period has been 24—9 European officers of whom 3 have died and 15 Indian.

The corresponding figures for the I.P. are—

Casualties 25—24 European officers and 1 Indian officer.

Recruitment 11—3 European officers and 8 Indian officers.

No appointment has been made to the I.P. since 1st January, 1943, and to the I.C.S. since 1st January, 1945.

Combating malaria and mosquito nuisance in the suburban municipalities surrounding Calcutta.

94. Mr. BIREN ROY: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state if he would consider the advisability for combating malaria and mosquito nuisance in the suburban municipalities surrounding Calcutta, viz., South Suburban, Tollygunge, Garden Reach, Howrah, Baranagar, Kamarhati and South Dum Dum by making available D.D.T. in powder and spray form with appliances for wide spraying for at least two years? If not, why not?

MINISTER in charge of the DEPARTMENT of HEALTH and LOCAL SELF-GOVERNMENT (the Hon'ble Khan Bahadur Mohammed Ali): The duty of combating malaria and mosquito nuisance in the area in question rests primarily with the municipalities concerned.

Government have, however, already arranged to make D.D.T. in powder form available to all local bodies at cost price. Appliances such as sprayers, etc., are now available in the market.

Mr. BIREN ROY: Is the Hon'ble Minister aware that even now subsidies are being given from the antimalarial fund to several municipalities but selected in a most haphazard manner?

The Hon'ble Khan Bahadur MOHAMMED ALI: I do not agree to the sting in the question, namely, that allocations from the anti-malarial fund are made to the various local bodies in a haphazard manner.

Mr. BIRENDRA KISHORE ROY CHOWDHURY: Is the Hon'ble Minister aware that in the D. D. T. powder there are some ingredients which are very dangerous to human life?

The Hon'ble Khan Bahadur MOHAMMED ALI: My information is otherwise: my information is that the D. D. T. is not injurious to the human body.

Mr. BIREN ROY: Sir, my question has not been fully answered because it refers to the municipalities just encircling Calcutta and if mosquito control is continued in the municipalities, not only the city of Calcutta but its surroundings also, the city will be free from malaria, and therefore subsidies should be given from the anti-malarial fund to these municipalities. My question is whether Government are prepared to subsidise the neighbouring municipalities in and around Calcutta for this purpose.

Mr. PRESIDENT: Municipalities in and around Calcutta? What do you mean by the word "in"?

Mr. BIREN ROY: I mean around Calcutta mainly.

The Hon'ble Khan Bahadur MOHAMMED ALI: That is a very big question and it bristles with all kinds of difficulties. Malaria cannot be tackled so easily, by a mere grant from the anti-malarial fund. I may inform the House that Government are considering a scheme by which they can tackle not only the destruction of mosquito by insecticides but by larvæ control. That is a question which is engaging the attention of Government and I may tell the House that Government are experimenting with two pilot schemes and we are awaiting the results of both the scheme of larvæ control and the use of D. D. T. as an insecticide along with it

Mr. BIREN ROY: Pending the results of experiment which might perhaps take one or two years, will the Hon'ble Minister please consider the advisability of subsidising the municipalities mentioned in the question?

The Hon'ble Khan Bahadur MOHAMMED ALI: We have no such proposal before us and we cannot consider it at this stage.

Mr. BIREN ROY: If such proposals are made by the municipalities concerned, would the Hon'ble Minister be pleased to consider them?

The Hon'ble Khan Bahadur MOHAMMED ALI: If helpful proposals are made and in a practical way, we shall certainly consider them.

Mr. NAGENDRA NATH MOHALANOBISH: Is the Hon'ble Minister aware that in many of the municipalities in the mofussil there is no method of tackling the question of malaria by the destruction of mosquito, and will the Hon'ble Minister please say if any step has been taken by him to ensure that every municipality may adopt that means?

The Hon'ble Khan Bahadur MOHAMMED ALI: I would like to state that municipalities are self-governing local bodies and we do not like to interfere with their internal affairs and force our decision on them. If they are themselves willing to take up the large scale mosquito control scheme, then we shall certainly help them.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Was the opinion of these local bodies taken when their roads were destroyed by military lorries, etc.?

Mr. BIREN ROY: That question has not been answered yet.

Giving effect to the recommendations of the Rowlands Enquiry Committee.

95. Mr. BIREN ROY: Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) when the Government are going to give effect to the recommendations of the Rowlands Enquiry Committee in regard to the amalgamation of the South Suburban Municipality with the Corporation of Calcutta; and

(*b*) if Tollygunge, South Suburban and Garden Reach Municipalities will be not immediately incorporated with the Corporation of Calcutta; if not, if he will consider the incorporation of the developed portion of the South Suburban Municipality comprising the three wards, Behala, Etalghata and Sahapur, contiguous to Calcutta with the Corporation at once leaving the rest of the area measuring over 7 square miles as the future South Suburban Municipality?

The Hon'ble Khan Bahadur MOHAMMED ALI: (*a*) No date can be assigned.

(*b*) The whole matter is under examination in consultation with the authorities concerned.

Mr. BIREN ROY: Is the Hon'ble Minister aware that the authorities concerned, namely, the South Suburban Municipality and the Corporation of Calcutta have now agreed to amalgamation?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice, but I know that the South Suburban Municipality, of which Mr. Biren Roy happens to be the Chairman, has agreed to the proposal

Mr. BIREN ROY: The other part also was published in the newspapers, and therefore this question was put by me.

Mr. PRESIDENT: Which question?

Mr. BIREN ROY: The Hon'ble Minister says that he is not aware whether the Calcutta Corporation has agreed to the amalgamation or not This is a fact, Sir, and it has already been published in the papers and still he says that the matter is under consideration with the authorities concerned

The Hon'ble Khan Bahadur MOHAMMED ALI: I have already said that I do not know whether the Calcutta Corporation has agreed to the proposal which the Chairman of the South Suburban Municipality has placed before Government.

Anti-malaria operations by the army during the war.

96. **Mr. BIRENDRA KISHORE ROY CHOWDHURY (on behalf of Dr. K. S. Ray):** Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) whether he is aware that during the period of the last war whenever the army was posted, intensive anti-malaria operations were carried out by them,

(*b*) if he is aware that due to these intensive anti-malaria operations by the army incidence of malaria had been reduced, if so, now that the war is over, whether the anti-malaria operations are still being carried on or have been abandoned;

(*c*) in view of the recent floods and the dearth of quinine, whether the Government consider the desirability of not only continuing these anti-malaria operations, which were carried out by the army, but also of considerably supplementing the same; and

(*d*) if Government have got any scheme in this connection; if so, whether the Hon'ble Minister will be pleased to supply details?

The Hon'ble Khan Bahadur MOHAMMED ALI: (*a*) No.

(*b*) Yes, but accurate data are not available in the Directorate of Public Health; anti-malaria operations by the military authorities have been abandoned except in places where troops are still posted.

(*c*) Government are fully alive to the desirability of anti-malaria operations wherever found necessary With this end in view an elaborate post-war anti-malaria scheme has been drawn up to deal intensively with the malaria problem in this Province. At present some of the local bodies are being financially helped for carrying out anti-malaria measures within their respective areas. Three hundred and five mobile medical units are also engaged throughout the Province in intensive distribution of anti-malaria drugs. Four hundred and thirty-two Sanitary Assistants including Sanitary Inspectors are similarly engaged in the distribution of anti-malaria drugs. Five hundred Health Assistants are being recruited for the same purpose.

(*d*) Anti-malaria operations have been included in the post-war development scheme. Details are available in the publications issued by the Government on the subject. A copy of the scheme is placed in the Library.

Mr. BIREN ROY: With reference to answer (*c*) wherein it is stated "at present some of the local bodies are being financially helped .. ." will the Hon'ble Minister be pleased to state which are the local bodies that are financially helped?

The Hon'ble Khan Bahadur MOHAMMED ALI: I am afraid I cannot give you the names of the local bodies offhand. But I can assure the honourable member that a very large number of local bodies are financially helped by Government.

Holding of ration shops by persons in employment in the Department of Civil Supplies in benami.

97. Khan Bahadur CHYASHUDDIN PATHAN: Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state—

(*a*) whether it is a fact that some ration shops, both in the city of Calcutta and in the mufassal, are held by persons in the employment in his department in the *benami* of others;

(*b*) whether it is a fact that the Hon'ble Minister himself detected a case of this nature at Barrackpore, and

(*c*) if the answer to part (*b*) be in the affirmative, what step has been taken against the officer concerned?

The Hon'ble Khan Bahadur ABDUL GOFRAN: (*a*) I have no such definite information

(*b*) A case has been detected in which there are reasonable grounds for suspicion.

(*c*) The matter is yet under investigation. The officer concerned has been, in the meantime, placed under suspension.

Khan Bahadur CHYASHUDDIN PATHAN: Will the Hon'ble Minister be pleased to disclose the name of the officer who has been suspended?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Mr. S. N. Roy.

Khan Bahadur CHYASHUDDIN PATHAN: Will the Hon'ble Minister be pleased to state what post this officer is occupying?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Inspector of Civil Supplies.

Khan Bahadur CHYASHUDDIN PATHAN: Will the Hon'ble Minister be pleased to state who is conducting the enquiry and when the enquiry is going to be completed?

The Hon'ble Khan Bahadur ABDUL GOFRAN: The enquiry is being conducted by Mr. Woodford.

Mr. LALIT CHANDRA DAS: Is it a case of *benami* or *sanami*?

The Hon'ble Khan Bahadur ABDUL GOFRAN: *Benami*.

Medical help for the public.

98. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state if it is a fact that the present arrangement for medical help for the public is most inadequate?

(*b*) Do the Government propose to prepare a scheme and to put it into operation as a post-war measure to make medical help available for every citizen of Bengal by a scheme of compulsory Health Insurance?

(*c*) If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI: (*a*) No.

(*b*) No. A scheme for compulsory Health Insurance for industrial workers has been sponsored by the Government of India. This will be applicable to all-India.

(*c*) A scheme for compulsory Health Insurance for every citizen of Bengal is not considered practicable at this stage. The Government of Bengal have prepared and are implementing gradually the Development Schemes for the improvement of public health and medical relief as mentioned in the statement which is placed on the Table.

Statement referred to in reply to question No. 98.

(*i*) Scheme for increase in the number of rural dispensaries.

(*ii*) Scheme for rehabilitation and improvement of existing hospitals.

(*iii*) Scheme for improvement of Nursing System.

(*iv*) Scheme for control and prevention of venereal disease in Bengal.

(*v*) Establishment of maternity and child welfare centres with facilities for institutional and domiciliary midwifery service.

(*vi*) Scheme for provision of hospitals for special treatment of tuberculosis.

(*vii*) Schemes for increase in the number of hospital beds.

(*viii*) Scheme for provision of infectious diseases hospital in Calcutta.

(*ix*) Scheme for Children's Ward, Medical College Hospitals.

(*x*) Scheme for the creation of an Ambulance Service.

(*xi*) Scheme for the establishment of Leper Colonies. Steps are being taken to establish a leper colony for 500 infectious lepers at Bankura, and another for 1,000 infectious lepers at Peardoba. The latter will be expanded to accommodate 6,000 lepers.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Have Government any scheme before them for compulsory medical insurance of those rural people who actually grow food, in other words, tillers of the soil, like the industrial workers?

The Hon'ble Khan Bahadur MOHAMMED ALI: So far as this Government are concerned, I am afraid we have no such scheme.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Will the Hon'ble Minister consider the desirability of taking some measure for appointing special committee, or special officer or a committee of the House to at least devise some scheme by which the tillers of the soil, that is, who grow food, may have some form of medical insurance.

The Hon'ble Khan Bahadur MOHAMMED ALI: I am grateful to the honourable member for his valuable suggestion which deserves consideration by the Government. It is certainly the duty of Government to provide adequate health insurance for the growers of food. But the subject is vast and bristles with difficulties. We of course realise the utility of such a scheme and we shall attempt to tackle this problem. We will look into the matter and consider carefully the valuable suggestions made by him. I very much appreciate the proposal that has emanated from him.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: May I also give this information that the Industrial Committee sponsored by the Government of India appointed a Special Officer to enquire into these matters.

The Hon'ble Khan Bahadur MOHAMMED ALI: We shall certainly consider the scheme and any proposal which the honourable member might put before the Government.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: I am suggesting whether Government will consider the desirability of appointing a small committee, an expert committee, to go into these questions?

The Hon'ble Khan Bahadur MOHAMMED ALI: Government will certainly consider it but before that I would like to have a talk with the honourable member as to how to proceed—whether we should appoint a committee at this stage or whether we should first settle the terms of reference.

Pay and allowances of the staff of the non-official hospitals.

99. Mr. BIRENDRA KISHORE RAY CHOWDHURY (on behalf of Dr. K. S. Ray): Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state

(*a*) if he is aware that pay and allowances of the menial staff, nurses and doctors of non-official hospitals are much lower than that paid in Government hospitals;

(*b*) if he is aware that payment of such increased pay and dearness allowances in Government hospitals is adversely affecting the non-official hospitals and charitable dispensaries; and

(*c*) if Government propose to consider the desirability of subsidising these hospitals and dispensaries to enable them to pay adequate pay and dearness allowance to their staff more or less on a uniform scale as in Government hospitals?

The Hon'ble Khan Bahadur MOHAMMED ALI: (*a*) Government have no information in the matter.

(*b*) and (*c*) Do not arise.

T.B. Hospital in Kanchrapara.

100. Mr. LALIT CHANDRA DAS (on behalf of Mr. Patiram Roy): (*a*) Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state if it is a fact that the Government have recently established a T.B. Hospital in Kanchrapara in the district of 24-Parganas?

(*b*) If so, will he please state whether some medical officers are going to be recruited there soon?

(*c*) Is it a fact that the advertisement was made in the newspapers and a number of candidates applied accordingly for the posts?

(*d*) Is it a fact that no Scheduled Caste candidate has been taken though there were suitable Scheduled Caste candidates?

(*e*) Will the Hon'ble Minister be pleased to state whether the appointments have been made up till now in the hospital in accordance with the Communal Ratio Rules?

(*f*) not, why not.

The Hon'ble Khan Bahadur MOHAMMED ALI: (*a*) Yes (but the hospital area is in the district of Nadia).

(*b*) and (*c*) Yes.

(*d*) No.

(*e*) Yes, the appointments are being made according to Communal Ratio Rules.

(*f*) Does not arise.

Admission to Shibpur College.

101. Mr. B. K. ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) if it is a fact that he has ordered admission to the Bengal Engineering College, Shibpur, to be made this year on the basis of 50 per cent. Muslim representation irrespective of qualification of the candidate;

(*b*) if it is a fact that on this issue there was great disagreement between him and the Director of Public Instruction, now on leave, and

(*c*) if it is a fact that the admission of candidate without adequate qualification has been proved by past experience to be waste of public money?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) and (*b*) No.

(*c*) Only candidates with adequate qualifications are admitted.

Questions No. 102 and 103.

The Hon'ble Khan Bahadur MOHAMMED ALI: As the Hon'ble Minister is absent I request that this question and the next one may be held over.

Mr. PRESIDENT: All right; these two questions are held over. Questions over.

Calcutta Disturbances Commission.

Mr. HARIDAS MAJUMDAR: I have an important matter to mention. It is in connection with the appointment of the Disturbances Committee or Commission.

Mr. PRESIDENT: What is it?

Mr. HARIDAS MAJUMDAR: Sir, on the 11th instant a notification appeared in the Calcutta newspapers——

Mr. HAMIDUL HUQ CHOWDHURY: Sir, how he can raise it?

Mr. HARIDAS MAJUMDAR: It is in the best interests of the Government as well as of the people——

Mr. PRESIDENT: Mr. Majumdar, what are you driving at?

Mr. HARIDAS MAJUMDAR: I want to give some suggestions for the efficient working of the Commission.

Mr. PRESIDENT: Look here, Mr. Majumdar, this is a very irregular procedure to mention a subject which is not on the agenda. I cannot allow you to mention anything like that however important the subject may be which is not on the agenda. But if you are keen, really keen, and think that the matter would be of considerable use to the Government as well as to the public, it is always open to you to meet the Hon'ble Minister and make your suggestions to him.

Mr. HARIDAS MAJUMDAR: Then I am submitting a short-notice question.

Mr. PRESIDENT: But short-notice question cannot be taken up now.

Mr. HARIDAS MAJUMDAR: Very well. I am sending in a short-notice question and I hope you will please admit it.

Mr. PRESIDENT: If it is possible I shall admit it.

Special Motion.

Mr. PRESIDENT: The next item on the agenda is the Calcutta Disturbances Commission of Enquiry Bill, 1946 (introduction, consideration and passing). But I find that the Hon'ble Minister in charge of the Bill is not present, and there is the precedent that the motion cannot be moved by any Minister other than the Hon'ble Minister in charge of the Bill. I shall take this item up a little later if in the meantime the Hon'ble Mr. Suhrawardy turns up. I shall now take up item No. III on the agenda, the Special Motion under rule 96 of the Bengal Legislative Council Procedure Rules by Mr. Nur Ahmed. Yes, Mr. Nur Ahmed.

Mr. NUR AHMED: May I have your permission, Sir, to move (1) that the time for submitting report on the Indian Lunacy Bengal Amendment Bill by the Select Committee be extended up to 31st December, 1946, and (2) that the time for submitting report by the Select Committee on the Eastern Bengal and Assam Disorderly House Amendment Bill be extended up to 31st December, 1946.

Mr. NAGENDRA NATH MOHALANOBISH: What the honourable member is moving is not the special motion which stands in his name, Sir.

Mr. PRESIDENT: Mr. Nur Ahmed, you take up the special motion now. I called upon you to move the special motion under rule 96 of the Bengal Legislative Council Procedure Rules.

Mr. NUR AHMED: All right Sir, I shall move it first. I beg to move that this Council is of opinion that in view of the intense suffering and hardship to more than 5 lakhs of people of about ten thanas of Chittagong, total destruction of *aus* crop and of 90 per cent. of *aman* seedlings worth many lakhs of rupees, destruction of about 50,000 houses in these areas and loss of cattle and poultry by the flood of unprecedented magnitude which occurred in Chittagong in the 2nd week of July last, the Government of Bengal be strongly urged upon to undertake the following relief measures on a still larger basis immediately, namely, organisation of relief by way of supply of all foodstuffs, medicine, plough cattle, building material, *aman* seedling, agricultural and house-building loans, free distribution of rice and building materials to the destitute and declaration of flooded area as famine area, if deemed necessary.

Sir, I think I owe an explanation to the learned members of this House, why I am moving this question so late. I am sorry and it is regrettable, Sir, that this important resolution could not be taken up for discussion in this House earlier than today which, however, was due to the adjournment of the House from time to time for a number of days for various reasons, though I tabled this motion in the last week of July last.

Mr. President, Sir, mine is a non-controversial resolution on a vital question of relief to acute and intense suffering. Sir, in the 2nd week of July between 8th and 10th July, as there were very heavy rains previously both on the plains and in the hills, a flood of unprecedented magnitude and all-devastating nature occurred in most areas of the 12 thanas of Chittagong. A vast part of these thanas covering an area of 700 square miles according to non-official estimates and 600 square miles according to Government estimates was inundated causing the greatest hardship and distress to more than 5 lakhs villagers. Eighty-two out of 173 unions in Chittagong were affected. Sir, there were heavy rains previous to this

flood and both the Kornafuli and Halda rivers were flooded. Water also poured down from the hills near about. It is most unfortunate that no warning was given to the people in the flooded areas of the coming flood. All on a sudden the people heard a loud sound of the rushing of waters and within half an hour the water came in mountain high and the people living in that area had hardly any time to flee away with their women and children; in many cases they ran away with their wearing apparel only, to the nearest high ground, leaving everything; the flood was so sudden and devastating that it took away everything they had. According to the statistics taken by the authorities and the relief workers it is said that in some areas for instance in Rangonia, Raozan and in other areas about 90 per cent. of the mud-built *kutcha* houses had toppled down, and everything including livestock, plough cattle, poultry, domestic animals and every furniture were all carried away. Paddy, rice stocks and even stacks of hay and straw were all carried away. 90 per cent. of *aus* crops which was ripe for cutting and food for three months and 80 to 90 per cent. *aman* seedlings were destroyed in the flooded area. This was not confined to flooded areas only. Throughout Chittagong *aus* crop, except on some high land, was destroyed, so also in case of *aman* seedling. In some areas the water was quite 12 to 16 feet high and those areas were cut off entirely from the Chittagong town for four days. For instance the villages of Rajagonia and Gomordhara were cut off from the Chittagong town and the District Officer and relief workers tried to reach the place but could not except by air. In these circumstances these unfortunate people were involved in great hardship and I must thank the Government and the District Magistrate for the help they gave and thus saved the people from starvation. In the opinion of the District Magistrate the flood of this magnitude was more devastating than that of the Tamluk flood in the district of Midnapore. According to non-official version, a flood of this magnitude was unprecedented since the flood of 1897. The people are still suffering very severely and I have received numerous letters and petitions of distress from those areas, which still require many things. As a result of this flood the bridges on roads and the embankment of the southern part of Chittagong were breached or broken away and the roads and bridges and embankment have not yet been repaired. As regards relief measures the distressed area has not yet been declared a famine area and it is only those who were destitute that are given free rations according to the old list by the Union Board Presidents before the flood. But this flood has changed the situation, has created a new class of destitute who were not there before the flood. Many well-to-do and middle class people have lost every worldly thing and have become destitute for the first time, but no notice of this class is taken in the distribution of free dole. Classification A B C. has been made on the basis of pre-flood time. The system followed by union boards during the last Bengal famine has been followed in preparing the list of the destitute. On account of this flood the condition of many middle class people has been endangered. These middle class people are generally shy and they invariably hesitate to claim themselves as destitutes. They would rather starve than admit this condition, that they are distitutes. They cannot go to the relief centre for doles. This is causing great hardship to the middle class and other people in the flood area. I do not like to give a more minute detail of the condition of the people in the flood area and I think it is known to the honourable members of the House. There has been loss of lives during the time of flood and its aftermath from diseases. The whole of the Chittagong district has been greatly affected by the flood. There has been great scarcity of food and something should be done without delay to remove this difficulty. In this connection I am grateful to the Government and specially the Hon'ble Minister in charge of Relief and also the District Magistrate of Chittagong for giving people of Chittagong all possible help. I also thank the District Officers for what they have done to meet the crisis. But the help is not adequate. The Midnapore flood relief was on a much larger scale and for a longer period than the Chittagong which is

suffering very much. But relief measures have been slackened. In this connection I must say that whether it is a League Ministry or a Progressive Ministry Chittagong has always been neglected. We find from the Famine Enquiry Report that in November and December of 1942 people were dying in this district in great numbers and both the District Magistrate and Divisional Commissioner submitted reports asking for help from Government and they were dying on the streets and roads there. No adequate help could be given and Chittagong became a place of death from starvation and diseases. Many more people died of cholera and malaria in Chittagong in 1944 and had there been adequate distribution of quinine more than 50,000 lives could have been saved. Chittagong recorded highest mortality in 1943. Its mortality rate in that year was higher by 150 per cent as against that of 1942 and the highest in Bengal. So, my whole purpose of bringing in this motion before the House is to describe the terrible conditions which are prevailing in Chittagong. I suggest that there should be two kinds of relief—long-term relief and short-term relief. I must say that Government have rendered relief on short-term method in an admirable way. As regards long-term relief there is a relaxation. These breaches in the embankments and also bridges on roads have not been repaired and the result is that Chittagong has been cut off from Cox's Bazar and Arakan area will remain cut off There are vast uncultivated lands mostly belonging to Government *khas mahal* which could not be cultivated unless embankments are repaired or reconstructed It is the duty of Government to see that breaches in the embankments are repaired and bridges on roads repaired and properly reconstructed.

These flood-stricken people of Chittagong have lost their houses and on modest estimates about 50,000 houses collapsed as 90 per cent houses were made of mud walls School buildings, mosques, temples, all have collapsed. There is not a single mosque or temple in that affected area. I suggest that building materials should be supplied to these areas so that people may erect their houses and repair their houses where repairs are necessary. In a meeting where the local officials were present the question of the supply of building materials was also mentioned and the officials said that bamboos and other materials were not available Then we suggested the supply of corrugated iron sheets which were abundant in Chittagong but they were thought to be very costly.

Again some people have lost their means of livelihood and for their benefit co-operative societies should be organised and the people should be encouraged to take to cottage industries, such as, net making, paper making, basket making and so on. In this way the people there can be rehabilitated.

Then there is the question of the rehabilitation of the educational institutions. The school, madrassah buildings have collapsed They should be re-built. Sir, education in Chittagong has suffered on account of the last famine and then on account of war emergency and now owing to this flood. Chittagong was practically in the war zone and suffered enemy attack. As a result Chittagong has suffered very much, especially in the matter of education No special encouragement has been given to Chittagong in the matter of education. In this regard Chittagong is far behind other districts and requires special facilities.

There is another matter to which I would like to draw the attention of the Government. It is in regard to agricultural loans. They should be given to the needy people on a liberal scale. The group system that has been introduced is sometimes causing hardship to the needy people as they find it very difficult to find other persons to support them for agricultural loans. That rule should be relaxed and the loans should be given on an unlimited scale to enable them to rehabilitate their surroundings. I do not like to give details in other respects and I would only draw the attention of the Government to the miserable condition of the people affected by the

floods and are in a distressed state, and to relieve such distress. My suggestion is this. The flood area should be organised on a famine basis and relief measures organised on that basis. As a result of the heavy rains the *aus* crop was destroyed not only in this area but throughout Chittagong except some hilly portions. *Aman* seedlings have been destroyed which is 50 per cent. according to our estimate and which is more than 25 per cent. according to Government. Chittagong is a deficit area in the matter of foodstuffs. After the cessation of the last war which gave employment to many, many people have become unemployed and to add to that they have been rendered homeless having lost their houses, their crop and their belongings due to the floods. If more adequate help is not forthcoming to them I am afraid there will be another famine greater than that of 1943.

With these words, Sir, I commend my resolution to the acceptance of the House.

Mr. PRESIDENT: Order, order. Motion moved that this Council is of opinion that in view of the intense suffering and hardship to more than 5 lakhs of people of about ten thanas of Chittagong, total destruction of *aus* crop and of 90 per cent. of *aman* seedlings, worth many lakhs of rupees, destruction of about 50,000 of houses in these areas and loss of cattle and poultry by the flood of unprecedented magnitude which occurred in Chittagong in the 2nd week of July last, the Government of Bengal be strongly urged upon to undertake the following relief measures on a still larger basis immediately, namely, organisation of relief by way of supply of all foodstuffs, medicine, plough cattle, building material, *aman* seedling, agricultural and house-building loans, free distribution of rice and building materials to the destitute and declaration of flooded area as famine area, if deemed necessary.

Mr. LALIT CHANDRA DAS: In recording my sympathy to the mover of the resolution I can say without any fear of contradiction that a flood of unprecedented magnitude overtook ten thanas of Chittagong and in the course of its fury carried destruction everywhere There was complete destruction of *aus* crops and also of a large percentage of *aman* seedlings and many houses were also washed away. In fact the flood was of such a nature as was not seen in living memory. I also know and I think the public is fully aware that after this catastrophe the public started many relief organisations and Government also took steps to relieve the distress of these people and the Hon'ble Minister in charge of Relief visited the locality and did what could and should have been done for the relief of the distressed and promised further relief Now, Sir, all that the mover of the resolution likes to say is to press for further relief measures on a still larger basis. That is what has been asked for in the resolution and I have no doubt that Government will make thorough enquiry into the nature of the relief that is required in the localities affected and will do the needful.

Mr. C. MORGAN: Mr. President, Sir, I have every sympathy with the motion before the House, but it is quite impossible for me to say whether the facts stated in it are correct or not. I know that Government has been taking considerable action on relief measures but I would like to hear from the Government as to whether they are extending those relief measures in a little more detail about what they have done and are doing. But I sympathise with the motion moved by the honourable member.

Mr. ABDULLAH-AL-MAHMOOD: While rising to support the motion moved by Mr Nur Ahmed I would only like to bring the main facts of the case before the House, and it is this that the havoc wrought by the recent flood in Chittagong beggars all description. We need not recount the past human misery experienced in the famine of the year 1943 but I would like to know from Government the detailed steps taken by them with regard to the relief measures, namely, gratuitous relief to the distressed people, distribution of food to them, supply of medicines and clothings,

arrangements for housing, etc., that are necessary for rehabilitation. I do not like to dilate upon the matter any longer but I should be very glad if the Hon'ble Minister would kindly tell the House that in view of the unprecedented nature and the considerable magnitude of the distress brought about by the recent flood they are going to continue the relief measures for a considerable period of time till normal time returns.

Mr. BIJOY SINGH NAHAR: Mr. President, Sir, I rise to support the motion. There is no gainsaying that the flood that took place in Chittagong was terrible and a great calamity over-took the people. It has been suggested that Government should arrange for more and more relief. Sir, we have some experience of Government's method of granting relief or administering relief. I would like to place before the House at least one such instance and it is this: When the aeroplanes were throwing down bags containing food at various times those bags fell on the roof of some houses and people died of this relief. I hope therefore that the Government will not give such relief so that more misery may not overtake the people.

My second point is that not only in Chittagong but throughout the province we are having floods and famine. There is no question that Government have got to give relief but that should not be such that the poor people may be reduced to the position of beggars. Sir, we do not want that our nation should become a nation of beggars, and that at each and every time the Government should come forward and give doles to the flood-stricken people but I would urge upon Government to take special care that famines and floods do not occur in our province from every year. Special measures should be taken by them as soon as possible so that famine and flood may be prevented for all time to come.

The Hon'ble Khan Bahadur A. F. M. ABDUR RAHMAN: Sir, I am glad to get this opportunity of making a full statement on the flood situation in Chittagong.

I may mention that we took the public into confidence from the very beginning and that full information regarding the extent of distress and the progress of relief work in Chittagong has been given to the Press in a series of conferences.

It appears that roughly an area of 465 square miles was affected by flood water. Of this 325 square miles may be classed as paddy growing lands. One-third of this area had *aus* crop on it when the floods came, with the result that except in the high lands, the entire *aus* crop has been destroyed. The loss in crop is estimated at about 5,60,000 maunds of *aus* rice. The *aman* seedlings fared better in that the flood water started receding quickly and the loss in seedlings may not extend beyond 25 per cent. of the sown area.

The immediate action on the part of the district authorities was the mobilisation of all staff irrespective of departmental duties for relief operations. Assistance from the military was called in and supplies were conveyed to the affected areas by air. At the moment communications have improved sufficiently and air-borne assistance has ceased.

The area affected has been split up in 12 thanas charges and each of them has been placed under one officer of the status of Sub-Deputy Collector or Debt Settlement Officer. These 12 charges have been divided into 78 sub-charges with further subdivision into a number of wards.

By arrangement with the Board of Revenue 15 kanungoes with previous flood relief experience have been deputed. Two relief officers have also been posted. Besides, as many as 30 discharged revenue officers have been temporarily appointed as relief officers.

A large number of philanthropic and other bodies—fourteen organisations actually—who volunteered their aid were welcomed and assigned specific duties in definite zones. They have up to present been engaged mainly on medical work having 40 health units in operation. I am glad to say that their relationship with Government have been most cordial.

I will now go into details of what relief has actually been provided up to now by Government.

Our first task was to safeguard public health and prevent the outbreak of epidemics. Large stocks of water purifying tablets and bleaching powder was rushed to disinfect water reserved contaminated by flood water. I am happy that our stringent measures have paid handsome dividends and that no epidemic—barring cases of dysentery and diarrhœa—has made its appearance on the scene.

The Public Health Directorate has now 74 sanitary units and 31 mobile medical units already at work in the affected areas. In the matter of technical personnel the Directorate has deputed one malariologist with six assistant epidemologists and ten sanitary inspectors and has accorded sanction for local appointment of one doctor and 20 health assistants. Large stocks of medical stores have been despatched to supplement stocks already in the district.

Arrangements are being made for sinking 100 tube-wells, resinking 100 derelict tube-wells and repairing 500 derelict tube-wells. Materials for 100 new tube-wells have already been reached Chittagong.

In 4 thanas alone, 5,331 tanks have been disinfected. A large number of anti-epidemic moculations have been given, 62 milk canteens are functioning in the area.

Some 60,000 maunds of seeds have reached Chittagong. Of these 14,000 maunds have been found necessary for free distribution.

The Directorate of Agriculture propose to import a large number of cattle from Bihar for distribution in the affected areas, if and when found necessary. A sum of Rs. 1,20,000 has already been sanctioned for distribution by way of cattle purchase loans in case of necessity. The Agriculture Directorate has also sanctioned the free distribution of 1,000 maunds of soil cakes as cattle fodder. A larger quantity of artificial fertilisers have been distributed free. Seventy-four Agricultural Units and 18 Veterinary Units are operating in the affected zone.

52,000 maunds of rice was already available with the District Controller for distribution. A further quantity of 45,000 maunds was made available from the stocks of Assam rice lying on the Chittagong jetties.

Up to first week of August 36,065 maunds of rice, 86 maunds of dal, 464 maunds of *chira*, etc., and 298 maunds of biscuits have been supplied to the affected areas by all available means of communication. Large stocks of barley for invalid food has also been sent.

Weekly despatches of rice to the flood affected thanas are made by local Civil Supply Department Officers according to a programme drafted in the Collector's Relief Office. These supplies cover gratuitous doles, subsidised sales and sales at controlled rates. At one time 87,000 people were getting gratuitous doles. The present arrangements are to provide 50,000 people with free doles, 1 lakh people with rice at subsidised and the rest of the population with rice at controlled rates.

These figures are always variable. Now that communications have been partially restored, and our relief officers are in a position to move more freely, the list of recipients of various relief measures will be constantly revised. We have impressed upon our relief officers that they must attend to all cases of genuine hardship most sympathetically irrespective of the cost of Government.

The immediate despatch of 5,000 bundles of C. I. sheets has been arranged. These will be distributed mostly gratis. Supplementary cash grants for the purchase of other building materials will also be made.

We have despatched up to 1st week of August 14,742 blankets 18,320 dhuties and sarees, 22,893 children's garments, 10,150 lbs. of barley, 10 tons of milk powder and sundry other articles.

Uptil now we have concentrated all our attention to free gifts. This does not mean that we are unmindful about the issue of agricultural loans. As a matter of fact the District Magistrate has now been preparing an estimate of agricultural loans. But estimate or no estimate we have empowered the District Magistrate to advance agricultural loans in genuine cases of hardship without waiting for Government sanction. We have made adequate provision for agricultural loans and I can assure the House that agricultural loans will be distributed on a liberal scale.

Since Government has given relief on such a liberal scale I do not think that any useful purpose would be served by declaring the flood affected area as famine area.

Mr. NUR AHMED: Sir, in reply I thank the honourable members of the House for according a cordial support to the resolution. Sir, in this connection I may say that Chittagong has been suffering from recurrence of floods for a very long time. Chittagong has been crying for re-excavation of khals which is one of the causes of the floods and also irrigation and reclamation of certain other areas and repairs of embankments. About 12 years ago some work in this connection was undertaken but that was not continued. I appeal to the Government to see to these matters. I again thank the honourable members and also the Hon'ble Minister for giving a sympathetic reply.

Mr. PRESIDENT: Order, order. The question before the House is that this Council is of opinion that in view of the intense suffering and hardship to more than 5 lakhs of people of about ten thanas of Chittagong, total destruction of *aus* crop and of 90 per cent. of *aman* seedlings, worth many lakhs of rupees, destruction of about 50,000 of houses in these areas and loss of cattle and poultry by the flood of unprecedented magnitude which occurred in Chittagong in the second week of July last, the Government of Bengal be strongly urged upon to undertake the following relief measures on a still larger basis immediately, namely, organisation of relief by way of supply of all foodstuffs, medicine, plough cattle, building material, *aman* seedling, agricultural and house-building loans, free distribution of rice and building materials to the destitute and declaration of flooded area as famine area, if deemed necessary.

The motion was put and agreed to.

GOVERNMENT BILL.

The Calcutta Disturbances Commission of Enquiry Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I beg to introduce the Calcutta Disturbances Commission of Enquiry Bill, 1946, and to request that you will be pleased to waive the rule, to permit the motion for consideration of the bill to be moved at shorter notice.

Mr. NACENDRA NATH MOHOLANABISH: On a point of order, Sir. The Bill which is going to be introduced has neither been published in the Gazette nor a copy of it given to the members.

Mr. PRESIDENT: I have seen it published in the Gazette.

Mr. NACENDRA NATH MOHOLANABISH: We have not received it as yet.

Mr. PRESIDENT: I understand the Bill is going to be distributed just now.

Mr. NAGENDRA NATH MOHOLANABISH: I should think, Sir, that copies of the Bill should be in the hands of the members before the Bill is sought to be introduced.

Mr. PRESIDENT: Unless a Bill is introduced first the House is not supposed to be in seizin of that legislative measure and copies of the Bill cannot be expected by the members before introduction of the Bill.

Now as regards amendments to the motion that the Bill be taken into consideration and to the clauses of the Bill, I would fix that the amendments should be put in by 11 o'clock tomorrow.

Mr. NAGENDRA NATH MOHOLANABISH: The time is too short, Sir.

Mr. PRESIDENT: Why! You have got 24 hours time before then.

Non-official Resolutions.

Mr. LATAFAT HUSAIN: Sir, I beg to move that this Council is of opinion that in the matter of selection and appointment of ration retailers of different commodities in the districts of Hooghly, Howrah and 24-Parganas communal ratio be maintained evenly, and to say a few words in support thereof and to appeal to the Hon'ble Minister to support this resolution. This resolution is not meant to create any communal passion or communal cleavage as the subject of the resolution is a simple one. It is far from my mind to do any injustice to other communities but in my opinion the Government have not done justice regarding the selection of retail shop-keepers according to the communal ratio. Honourable members should not think that I want to obtain illegal privilege; it is not my intention at all. An enquiry should be made to find out if communal ratio has been maintained. If it has not been maintained it should be done immediately without keeping it in abeyance. I therefore appeal to the Hon'ble Civil Supplies Minister to accept the resolution and to constitute an enquiry committee consisting of officials and non-officials including the local M.L.As. and M.L.Cs. to go into the matter.

Mr. PRESIDENT: Order, order. Resolution moved that this Council is of opinion that in the matter of selection and appointment of ration retailers of different commodities in the districts of Hooghly, Howrah and 24-Parganas communal ratio be maintained evenly.

Mr. BIREN ROY: Sir, much as I would dislike to speak at this juncture on a subject which perhaps goes against communal disharmony or harmony whichever might be the point of my honourable friend, representing as I do, the municipalities of Howrah, Hooghly and 24-Parganas, I cannot keep silent over this matter. Mr. Latafat Hossain has stated that Government have not done any justice in the matter of selection of ration dealers of the different commodities in the districts of Howrah, Hooghly and 24-Parganas—whether he means the urban areas in particular, or the areas outside the urban areas, I do not know. But if he insists on ration retailers selected in these municipalities he will find to his amazement that perhaps the preference is in favour of the community in those municipalities where their percentage is far less. Speaking on behalf of several municipalities of which I have personal knowledge I know that in the matter not only of ordinary commodities of food but in the matter also of selection of shops for cloth distribution the percentage has been very much in favour of the community which is far less in number in that particular area. And if Mr. Latafat Hossain desires at this stage to request the Government to change the already selected shops I would certainly not stand in his way but his other resolution which has been placed as item No. 9, where he wants the local M.L.As. and M.L.Cs.

to be in the Advisory Body for re-organisation of shops I would welcome But it will not be—I am stating this here from my definite knowledge—to his or his community's advantage and therefore it will be better from the very beginning not to try to move that resolution and bring about disharmony amongst the communities We have a lot of it at present and in the matter of selection or cancellation of shops and other things, the differences between the communities should not be accentuated at least for the present. In any case, the selection must be based if at all on the basis of precentages in respective areas and not evenly as suggested.

Mr. NAGENDRA NATH MOHOLANABIS: Mr President, Sir, I am extremely sorry to have to discuss this question of communal representation in business and trade, but as the resolution has been moved by Mr. Latatat Hossain, I think it my duty to discuss this communal question from all its aspects The resolution itself deals with the question of communal parity,—if I may use a word which is now being very often used, with regard to ration retailers of different commodities I do not know if the honourable member wants to restrict it as he seems to do in the resolution to the retailers only The natural suspicion arises that so far as other dealers, dealers other than retailers, are concerned, the honourable member is quite satisfied. Any way, the retailers dealing with the different commodities in rationed goods must have been selected by the food committees, subdivisional food committees, district food committees, union food committees and under the guidance and direction of the district authorities or the district food committees and there has been certainly some directions given by the Government My friend in his speech in support of the resolution has not been pleased to state what is actually the percentage of population of the different communities Now, Sir, the mover of this resolution wants that communal ratio should be maintained evenly. Therefore it is obvious that the honourable member wants 50:50 parity, that is I believe the idea behind this resolution. But before we discussed this point it would have been better if the honourable member had said what were the population in the district towns of these three districts, of the mofussil areas and also of the urban areas. But nothing has been said about it, but I am told that the population of non-Muslims in the urban areas exceeds very much that of the Muslims in those urban areas. If that is so then what is the particular reason that the honourable member should expect that shops should be distributed evenly among the two communities? What is the justification for that? When in areas where the community represented by the honourable member is in the majority they very justly claim that they being in the majority they must have their representation according to the number But where they are not in majority what is the justification for this claim? I have not heard anything about it from the lips of the honourable mover. Unfortunately in this country we have been fighting with each other for the loaves and fishes of offices Communal question is in the forefront here in every matter that comes before the public. Even in these small petty dealers of rationed commodities it is in the forefront But before we support this communal ratio theory we must consider whether we should allow this communal poison to be permeated into the body politic I think it should not be allowed to permeate further It has done a lot of mischief to the body politic and when the communal tension is so high I think it is undesirable to allow it to go further. In the whole of India where my friend's community is less than 25 per cent., they are pressing for parity. In Bengal where my friend's community is 55 or 54 per cent and the non-Muslims are 45 or 46 per cent., they claim that they are in a majority and they have been given communal award in their favour (Mr. HAMIDUL HUQ CHOWDHURY: The communal award is against us.) The honourable member says that communal award is against them! Therefore no question of parity can arise in Bengal. I do not know with what reasonableness any honourable member can urge that there should be parity at one place where they are

less than 25 per cent. and there should not be parity in another place wher another community represents 45 per cent. of the population. That is question which has been haunting me for all these years and I have no been able to solve it and I would be grateful to the honourable member opposite if they can put forward some reasons ....(Mr. HAMIDUL HU CHOWDHURY: Giving 50 per cent. to the East Bengal Hindus) . ..Than you. But not in Howrah, Hooghly and 24-Parganas. Anyway, thi communal representation has been introduced in the services and the resul has been that in almost every department of Government our friends opposit predominate and outnumber the other community. In every thana in Eas Bengal or practically in the whole of Bengal you find that officers-in-charg are persons belonging to my friend's community. I see in most of the sub divisions the Subdivisional Officers belong to that particular community I may be corrected if I am wrong. But this is my impression. Even i the Department of Education 90 per cent. or 70 per cent. at least of th Inspectors and Sub-Inspectors come from that community. What I wan to say is this that every position of vantage in this country has been occupie by members of my friend's community and it is perhaps wellknown to al that in many police stations where there are Muslim Sub-Inspectors an officers-in-charge the cases against the culprits who generally abduct Hindu women the first information is not even recorded. These are the complaint which have been appearing in the press for years and years. I submit tha my friends who are now controlling the Government do not take any serion notice of that but they are complaining now that they have not got equa number of ration shops in the mofussil in some of the districts. Tak another instance. The office of the Public Prosecutors. In Bengal perhap more than 75 per cent. of the Public Prosecutors are appointed from tha community. (Mr. HAMIDUL HUQ CHOWDHURY. What about Governmen Pleaders?) Well, with a view to making a show that Hindus are given th office of Government Pleaders there have been several posts of Governmen Pleaders split up, one in the Public Prosecutor and the other in the post o Government Pleaders and the Public Prosecutor's post invariably goes t my friend's community and a Hindu gets a Government Pleader's post Sir, the reason is not far to seek. People are not so fool as not to understand what is the implication but Hindus have not raised this question o communal representation in these posts. They do not grudge it. Do as you like. But when you come with this complaint about the distribution of retailers ration shops I think the climax is reached. Every honest man's patience is found to be taxed to the extreme. Now, I submit that the question of this parity should not be allowed to be raised. This is a small matter and this is not a subject which ought to be brought up before this House. This is a very small and a petty matter. This is decided by the Union Food Committees and the Town Food Committees wherein all communities are represented and the selections of retail distributors, etc., are done in their meetings. So, Sir, I do not find any justification for this resolution.

Mr. SATISH CHANDRA SEN: Sir, I was rather surprised to find that of all persons Mr. Latafat Hossain should have tabled such a resolution. As far as my relations with him for the last 15 years are concerned, I know he has been connected with the labour movement whose principal policy is that there should be raised no communal question by any of the leaders. But unfortunately—and I do not know how—he has become communal-minded by his coming down here and this is news to me. Really it is surprising to me that communal considerations should be allowed to enter into the question of selection and appointment of retail distributors of rationed articles. In this matter the interests of the public only should be taken into consideration and the matter should not be viewed from the standpoint of the religion of the distributors. I would have appreciated him if he had said or suggested that this distribution work should have been taken up by the Government themselves in the greater interests of the public

eliminating the agency of private shop-keepers or private retailers. If that sort of resolution would have come up before the House I would rather have welcomed it. But we are not interested in raising communal issues over the present distributing arrangements or regarding the existing retailers. As I pointed out, it should be looked at from the interests of the general public and not from the interests of the retailers nor from a communal ratio basis. I do not know the present percentage of the Hindu and Muhammadan retailers. Even if it is 100 per cent. Muhammadans or 100 per cent. Hindus I am not at all interested provided it is efficiently distributed and provided it is honestly distributed and that should be the criterion to judge the issue in this House too. So, Sir, I would rather request the honourable mover to withdraw his resolution

Mr. ABDULLAH-AL-MAHMUD: Mr. President, Sir, the resolution deals with rationed area which means bigger Calcutta as well as part of modified rationed area. I do not know if the Government is following any definite policy in the matter of distribution of shops but I like to make some suggestions with regard to distribution of controlled commodities throughout the whole of Bengal as the subject matter has got bearing with regard to 24-Parganas, a major part of which is a modified rationed area. So far as I am aware, the whole of 24-Parganas is not covered by complete rationing. Under section 93 regime with the issue of a Circular or an order by Government the modified rationing scheme introduced to the whole of the rural area by the previous Government was given a go-by Everything done by the District Magistrate or the Subdivisional Magistrate and in many cases by the District Controller or the Subdivisional Controller. What the previous Government wanted to do was to have the co-operation of the public and with that end in view the food committees were constituted. These food committees became defunct during section 93 regime. Though I cannot say that that is the position in all the districts, but so far as I am aware with regard to some districts I have got practical experience that that is the position. Therefore I would request the Government to see, if they really want to carry out the modified rationing scheme, that they enlist the co-operation of the public which means the Food Committees. In the rural rationing scheme it was suggested that either the District Magistrate or the Subdivisional Officer or the District Controller or the Subdivisional Controller as the case may be would be practically in the position of a reception agent. The entire distribution, appointment of the wholesalers, retail dealers and the allotment of commodities—everything should be done by the food committees. I am not aware whether this scheme has been acted upon or is being acted upon by the present Government. I would therefore suggest to Government.... I am not so much keen about what my friend Mr. Latafat Hossain says with regard to the fixation of a percentage in the whole of Bengal in regard to the selection of shops because I do not know whether Government will be in a position to do that, but if the Government really want the co-operation of the public, that is to say, with the food committees as a whole, Government must see that these food committees are taken into confidence and are not suffered to remain as so many defunct bodies. So, Sir, at the time of giving a reply to this resolution I hope Government should say something definite about the existing food committees, distribution and allotment of commodities and that they are putting everything on the right track. The public as a whole are not prepared to take the burden upon themselves in places where Government is itself inactive. If Government want that the public should co-operate with them, let them say and see that District Magistrates, District Controllers of Civil Supplies, Subdivisional Magistrates and Subdivisional Controllers of Civil Supplies, etc., do really act under the orders of Government and give full scope to these food committees for exercising their function as laid down in the scheme. I would like to hear what the Hon'ble Minister in charge of Civil Supplies has got to say with regard to this matter.

The Hon'ble Khan Bahadur ABDUL GOFRAN: Mr. President, Sir, in the matter of selection of ration shops it is not possible for us to observe the communal ratio rules which have been prescribed for appointment of Government servants. Some of my friends have raised the question that there are very few people probably, living in the districts of Howrah, Hooghly and 24-Parganas, who are Moslems and therefore Moslems are not entitled to have an equal number of shops with Hindus in those areas. Similarly, other members may also reply that there are many districts in eastern Bengal for example, in Noakhali, Tippera, Dacca, Mymensingh, etc., where the percentage of Moslem population is about 80 per cent. or more, and if shops and licenses are to be granted according to the communal ratio then we cannot say that an equal number of shops should be given to either of these two communities, Moslem and non-Moslem..... (Mr. AMULYADHONE ROY: What about the scheduled castes?) and the scheduled castes, certainly. I had said "non-Muslim" which includes the scheduled castes. (Mr. AMULYADHONE ROY: Have you done any justice to them?).....Certainly we have done justice to them. In the past, so far as I find, justice was not done to them; I admit that, but we have been now proceeding so that justice may be done to them also when the Government distribute loaves and fishes of office.

My friends also raised the question that there should be an enquiry committee in order to ascertain what number of shops is held by each of these communities. I think there is no hard and fast rule regarding the appointment of retail dealers and no useful purpose will be served by the appointment of any such enquiry committee. Really I am very anxious to do justice to all the communities and I assure my honourable friends that in matters of selection of the retail shop-keepers and dealers justice will be done to all.

Mr. ABDUL-AL-MAHMOOD: Sir, in my speech I made some observations and put some questions to the Hon'ble Minister and I expected to have replies to those questions. My first question was whether the Hon'ble Minister or the Government as a whole is alive to the fact that there was a scheme of modified.. ..

Mr. PRESIDENT: Are you putting a question to the Hon'ble Minister now?

Mr. ABDUL-AL-MAHMOOD: Sir, I have already put my question to the Hon'ble Minister in the course of my speech; but he has replied to that question. I shall be glad if the Hon'ble Minister reply to that question. My question was whether the food committee throughout the whole province which was constituted should have the co-operation of the public as a whole and are working or are now defunct: will the Hon'ble Minister please say whether these committees will function according to the scheme of 1943.

The Hon'ble Mr. ABDUL GOFRAN: With regard to the food committees the policy of the Government has been that these food committees will be reconstituted as early as possible, because these committees were not properly functioning. But it is not I believe the fault of the Government, because food committees were formed from among the members of the public. (Mr. NAGENDRA NATH MOHALANOBISH: there were Government servants also) Yes, but the members selected from the public were not doing their duty. There were Government officers but there were also members elected by the union boards and district food committees: they are not doing their duties according to the rules prescribed and if they are not doing their duties it is not the fault of Government. I have already stated that the question of reconstitution of these food committees is under the consideration of Government.

Mr. ABDUL-AL-MAHMOOD: Again, Sir, I put another question. I said that during section 93 period these committees met with interference by the officers. Now, my question to Government is whether Government do really mean that these committees should now function.

The Hon'ble Khan Bahadur ABDUL GOFRAN: That question is also under the consideration of Government. Government is thinking what should be the composition of food committees and how many should be elected from the public. So the matter will receive due consideration and I think my friend will be satisfied after we have gone through that question.

Mr. AMULYADHONE ROY: On a point of information, Sir,.....

Mr. PRESIDENT: I cannot allow question after question to be put.....

Mr. AMULYADHONE ROY: Sir, it is not a question but a point of information. What I wanted to know from the Hon'ble Minister was when these committees would be formed whether Government will issue instruction to the effect that proper representation of the scheduled caste will be secured according to population.

Mr. PRESIDENT: Do you propose to reply?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Yes, Sir. Of course certainly we shall see that there is proper representation of the various communities in the Food Committees. I will issue instructions to that effect.

Mr. AMULYADHONE ROY: With regard to the Scheduled Castes also?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Yes.

Mr. LATAFAT HOSSAIN: (Began his reply in Urdu.)

Mr. BIREN ROY: Sir, Mr. Hossain moved the resolution in English. How then can he now speak in Urdu?

Mr. PRESIDENT: He can speak in English but if he feels that he cannot fully express himself in English—he has his limitations—he can speak in Urdu.

Mr. LATAFAT HOSSAIN: (Replied in Urdu.)

Mr. LATAFAT HOSSAIN: Whether the selection has been made properly or not is what I want to know.

The Hon'ble Khan Bahadur ABDUL GOFRAN: I will do it.

Mr. PRESIDENT: Do I understand that you propose to withdraw your Resolution?

Mr. ABDULLAH-AL-MAHMUD: May I speak on behalf of Mr. Latafat Hossain to express what he has in view and wants to express?

Mr. PRESIDENT: I am afraid that cannot be done. The honourable mover is capable of speaking and has already spoken on his resolution and can take care of himself.

Do I understand Mr. Latafat Hossain, that you ask for leave of the House to withdraw your resolution?

Mr. LATAFAT HOSSAIN: Yes, Sir.

Mr. PRESIDENT: Leave has been asked for by Mr. Latafat Hossain to withdraw his resolution. Does the House agree to grant such leave?

(SEVERAL MEMBERS: "Yes, Yes".)

The resolution is, by leave of the House, withdrawn.

The Calcutta Disturbances Commission of Enquiry Bill, 1946.

The Hon'ble Khan Bahadur MOHAMMED ALI: May I have your permission, Sir, to make the motion that the Calcutta Disturbances Commission of Enquiry Bill, 1946, be taken into consideration at shorter notice?

Non-official Resolution.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I beg to move that this Council is of opinion that the administration of civil and criminal justice should be carried on by judicial officers and not by executive officers and there should be a complete separation of judicial from executive functions of officers at an early date.

Mr. PRESIDENT: (Referring to Mr. Biren Roy who was coming back to his seat from the other side of the House.) The honourable member should not cross the floor.

Mr. NAGENDRA NATH MOHALANOBISH: May I enquire at this stage with your permission whether just coming from the other side to this side not changing the party would amount to crossing the floor?

Mr. PRESIDENT: Well, that is the technical expression.

Mr. NAGENDRA NATH MOHALANOBISH: If a member from the other party comes to join this party that would be, strictly speaking, crossing the floor.

Now, Sir, this question of separation of the judiciary from executive functions has been agitating the minds of the public from the early times of British rule in India. It is a very very important question and very very important for the purpose of administration of justice in this country. When the East India Company came to occupy Bengal, well, for some time, as was quite naturally to be expected, the country was governed under the military law and at that period one could not certainly object to the amalgamation of the functions of the prosecutor and the judge in one person. But gradually when the country came under the rule of the Company and when peace and tranquillity were assured then also that amalgamation continued in one form or another. Now we find that in the system that was in vogue and that is still continuing in one form or another, that the man who was the accuser, had himself to investigate into the offence, he had to collect evidence, and had to sit on judgment, try and convict or acquit. But you can easily understand the position of a man who finds that his accuser himself was collecting evidence against him in his own way. His accuser himself was examining all the witnesses, was recording that evidence and was trying the case, and it so happened that in 99 cases out of 100 the accused thought himself doomed. But that system did not continue long before eminent British jurists in that period of time found that this was an absurd position and should not be allowed to continue much longer. Therefore, even during the Company's time there were enquiries and enquiry committees which investigated into this matter and there were many eminent jurists who at that time recommended that this system should not be allowed to continue. Now, Sir, in spite of this the system has continued because of the objection of one or other executive officers who thought that the taking away of the judicial power from the hands of the executive would undermine their prestige and particularly the prestige of the district officers. Now, Sir, it is well known I believe to all honourable members of this House that what is done in Bengal when a criminal case particularly where the Crown is interested, e.g., cases against political offenders comes up. These political offenders want political rights and

Government are or were determined not to concede those rights and Government issue a private circular to all Commissioners of Divisions in the first instance, then to the District Magistrates, then to the Subordinate Magistrates, who in their turn write perhaps to every officer who has got anything to do with these political parties. Government consider or did consider this to be so at a time when the expression "Bande mataram" was held to be offensive and there were persons, District Magistrates and others who would shudder at the sound of "Bande mataram", including a renowned Lieutenant-Governor. Now, when the District Magistrate thinks that such and such a person belongs to a certain party and is getting obnoxious to Government he instructs his police chief, the Superintendent of Police to have an eye upon him whom they regard as offensive and then that Superintendent of Police sends on to his subordinates a circular letter; that circular letter reaches up to the village chowkidar and people are arrested on the ground that they belong to the Congress or to some other party or that they are creating a disturbance in the villages by shouting Bande mataram, or boycotting foreign salt or the like, and some of them supposed to be the ringleaders of the party are arrested, brought before a Magistrate and they may not even be allowed to plead before that Magistrate that the use of the slogan Bande mataram is not offensive. There is no section in the Indian Penal Code or in any other law in the country under which a man can be prosecuted for shouting Bande mataram. That man is however sent to rot in the *hajat*, and after a few days is brought before the District Magistrate, not in the first instance before the District Magistrate, but before the Subdivisional Magistrate or other Magistrates. The matter was known to them long before for they knew what was the intention of their chief, the District Magistrate and he sits down to record evidence about an offence which really did not exist in the eyes of law and something is added and the man is convicted and jailed. Now, Sir, these things have happened in this country for years and years till there was a very strong agitation for the abolition of this system and as a matter of fact there was a Law Member of the Viceroy's Council who saw the justification of the agitation that there should not be any system of combination of judicial with the executive function. I will give you references of eminent Jurists who long long ago had stated that this system should go and there should be an immediate alteration of the system of administration of justice in Bengal. But for reasons which many of my friends know, this could not be done and has not been done up to this time. We people of Bengal thought that when we were having Provincial Autonomy under the Government of India Act, 1935, when the popular Ministry would take office, these grievances should in the first instance be removed. Now, Sir, popular Ministries in the different provinces in India took office in 1937. Nine long years have passed but unfortunately those who had tried for this reform, those who had vociferously wanted to abolish this pernicious system became silent and if I may say so, during these long years opinion of those gentlemen, seems to have changed and none of those who wanted this reform cared to say a single word for this much needed reform and we are still here in the same position as we were in the year 1833. Now, what is the cause? The cause seems to be the love of power of those who come to the head of Government, because it is a very very strong engine to be used for having your own way. If you want your executive officers to do what you like him to do, you can get it done easily by this method of dispensing justice through executive officers. Then, Sir, there is another aspect of the matter. Recently there have been occasions.....

Mr. PRESIDENT: Mr. Mohalanobish, your time is up now.

Mr. NAGENDRA NATH MOHALANOBISH: I believe I shall take some time more.

Mr. PRESIDENT: You may continue on the next day.

Extension of time for reports of Select Committees.

Mr. NUR AHMED: Sir, may I have your permission to move formally the two motions, namely (1) that the time for submitting report by the Select Committee on the Eastern Bengal and Assam Disorderly House (Amendment) Bill be extended up to 31st December, 1946, and (2) that the time for submitting report of the Select Committee on the Indian Lunacy (Bengal Amendment) Bill, be extended up to 31st December, 1946.

Mr. PRESIDENT: Leave has been asked by Mr. Nur Ahmed that the time for submitting reports by the Select Committees on the above two Bills be extended to 31st December, 1946. Is there any objection?

(VOICES: No, no.)

Mr. PRESIDENT: Time is extended to 31st December, 1946.

The House stands adjourned till 11 a.m. on Monday, the 16th September, 1946.

Adjournment.

The Council then adjourned till 11 a.m. on Monday, the 16th September, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 13th September, 1946:—

(1) Mr. L. P. S. Bourne,
(2) Khan Bahadur Syed Abdur Rasid Choudhury,
(3) Khan Bahadur Sheikh Fazal Ellahi,
(4) Mr. Mungturam Jaipuria,
(5) Alhadj Khan Bahadur Shaikh Muhammad Jan,
(6) Mr. Humayun Z. A. Kabir,
(7) Maulana Muhammad Akrum Khan,
(8) Mr. T. B. Nimmo,
(9) Dr. Kumud Sankar Ray and
(10) Mr. F. C. J. Steuart.

BGP-47/8-61A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 19.

THE COUNCIL met in the Lagislative Chamber of the Legislative Building, Calcutta, on Monday, 16th September, 1946, at 11 a.m., being the 19th day of the First Session of 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Want of quorum.

Mr. ABDUR RASHID: Sir, I do not think there is a quorum in the House.

Mr. PRESIDENT: Let me see Ring the bell

(While the bell was ringing.)

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, in view of the extraordinary rain and floods today which have prevented most of the members from attending the House, I would request you to adjourn the House till tomorrow even if by some change a quorum might be present.

(After the bell had ceased ringing.)

Mr. PRESIDENT: Order, order. In view of the thinness of the attendance I do not think we should take up any business in the House. The House stands adjourned till 11 a.m. to-morrow.

Adjournment.

The Council then adjourned till 11 a.m on Tuesday, the 17th September, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 16th September, 1946:—

(1) Mr. Abdulla-al-Mahmud,
(2) Mr. Syed Badrudduja,
(3) Rai Bahadur Dhirendra Lal Barua,
(4) Mr. L. P. S. Bourne,
(5) Khan Bahadur Syed Abdur Rasid Choudhury,
(6) Mr. Moazzemali Choudhury,
(7) Mr. Hamidul Huq Chowdhury,
(8) Mr. Abdul Hamid Chowdhury,
(9) Khan Bahadur Abdul Latif Chowdhury,
(10) Mr. Syed Fazle Rabbi Chowdhury,
(11) Mr. Yusuf Ali Chowdhury,
(12) Mr. C. E. Clarke,
(13) Mr. D. J. Cohen,
(14) Mr. Lalit Chandra Das,
(15) Mr. Hemendra Kr. Das,

(16) Mr. Bankim Chandra Datta,
(17) Mrs. Labanyaprobha Dutt,
(18) Mr. Kamini Kumar Dutta,
(19) Khan Bahadur Sk. Fazal Ellahi,
(20) The Hon'ble K. B. Abdul Gofran,
(21) Khan Bahadur A. M. Shahoodul Haque,
(22) The Hon'ble Khan Bahadur Saiyed Moazzemuddin Hosain,
(23) Mr. Mangturam Jaipuria,
(24) Al-hadj Khan Bahadur Sk. Muhammed Jan,
(25) Mr. Humayun Z. A. Kabir,
(26) Khan Sahib Mobarak Ali Khan,
(27) Maulana Muhammad Akrum Khan,
(28) Mr. Abdul Latiff,
(29) Rai Bahadur Brojendra Mohan Maitra,
(30) Mr. Haridas Majumdar,
(31) Mr. George Morgan,
(32) Mr. Tarak Nath Mukherjea,
(33) Mr. J. L. Nelson,
(34) Dr. Kumud Sankar Roy,
(35) Mr. Biswanath Roy,
(36) Mr. B. K. Roy Chowdhury,
(37) Miss Ethel Robertson,
(38) Mr. Satish Chandra Sen,
(39) Mr. Mohammad Taufiq,
(40) Khan Sahib Maulvi Wahiduzzaman,
(41) Mr. Hazi Md. Yusuf.

BGP-47/8-15A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 20.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 17th September, 1946, at 11 a.m., being the 20th day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Adjournment Motion.

Mr. PRESIDENT: Mr. Lalit Chandra Das will move his adjournment motion.

Mr. LALIT CHANDRA DAS: I find, Sir, that the Hon'ble Minister in charge of Law and Order is absent.

The Hon'ble Khan Bahadur MOHAMMED ALI: He will soon be coming in, Sir.

(The Honourable Chief Minister immediately entered the Chamber.)

Mr. LALIT CHANDRA DAS: Sir, I beg to move that this Council do adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the failure of the Government to maintain law and order, peace and tranquillity in the city of Calcutta, as from the 16th August last for full four days resulting in riots of unparalleled savagery, casualties mounting to about 5,000 killed and about 10,000 wounded, besides breaking of shops and houses, setting them to fire and looting of properties worth crores of rupees, no proper and timely steps having been taken to prevent them occurring.

Sir, it was on the 29th July last that the Muslim League under the leadership of Mr. Jinnah decided to put back the clockhand of progress. It reversed its previous decisions to enter the Interim Government as also the Constituent Assembly. The League resolved to rely on its own strength to win Pakistan and fixed the 16th August as the date for Direct Action and what that Direct Action Day would be like, the Quaid-e-Azam explained. It would be a day for the Moslem League Branches all over India to explain to the Moslems its dissatisfaction against the Government for not ceding their demands in the future Government of India.

The League President was apprehensive of violence and so——

Mr. PRESIDENT: Mr. Das, would you mind speaking from the microphone?

Mr. LALIT CHANDRA DAS: All right, Sir. (The honourable member then went over to the microphone.) The League President was apprehensive of violence and so advised his co-religionists to observe restraint and discipline. I will not do Mr. Jinnah the injustice to think that he did not know the fanatical nature of his own followers who roused to frenzy would rush in where angels fear to tread. But Mr. Jinnah is a lawyer of eminence and so he had to utter those words of caution knowing full well that those words will never be heeded.

Not to lag behind, the past and present Chief Ministers of Bengal soon appeared on the scene. The Hon'ble Mr. Suhrawardy boasted that he would declare Bengal independent and cursed the Congress as is his wont. Sir,

now Mr. Nazimuddin cast all discretion to the four winds and declared that non-violence is no part of the creed of the Muslims and that the Muslims know what they should do on the Direct Action Day. The effect of such a speech on fanatical, illiterate and half literate Leaguers could easily be imagined. Sir, the meaning of the word "Action" is plain and when you prefix the word "Direct" to it, the implication becomes apparent. The Leaguers easily understood it to mean that they have been given free licence to commit atrocities not against the Government which was theirs and of which the Leader of the Bengal Provincial Muslim League is the Chief Minister but against the Hindus.

Sir, to proceed chronologically, the Direct Action Day was fast approaching; leaflets and literature were being issued from day to day. The Muslim League papers, such as, the *Morning News*, *Azad*, *Star of India* in Bengal and their other papers outside Bengal were vomitting fire and brimstone. In this connection I would like particularly to mention that a leaflet purporting to be signed by Mr. Osman, Secretary to the Calcutta District Moslem League, who is no other than the Mayor of Calcutta was circulated amongst the Moslems in mosques but not to the Hindus, telling the Moslems that it was during the Ramzan that the Faithful beat the *kafirs* and won Mecca.

Sir, last August was the Ramzan month. The incitement was direct and clear. Sir, Mr. Gazdar, the President of the Provincial Moslem League of Sind, and Raja Gaznafarali Khan and other prominent Leaguers of the Punjab and some Ministers also were equally emphatic in words which could leave no doubt that violence would be the panacea for all the evils from which the Moslems were suffering. They even went the length of suggesting Russian intervention and a Moslem deputation to Russia.

Sir, in this atmosphere, the Muslim League Ministry in Bengal declared that the 16th August would be observed a public holiday. This led Muslim League *goondas* to believe easily that in all that they might do that day to enforce the observance of holiday the Government will be at their back. In this, they were not far wrong as the events subsequently showed. Sir, the public were taken aback at the declaration of the holiday and they began to scent danger. The Press was outspoken in its condemnation. On the 12th instant, an attempt was made by tabling an adjournment motion in the Assembly to draw the attention of the Government to its folly. The adjournment motion was disallowed. Then on the 14th August, a huge public meeting was held in the Deshapriya Park. All the leaders of note in Calcutta took part in the proceedings. The Government was requested to cancel the holiday and to adopt all precautionary measures for the 16th August so that no untoward incident might happen. On the same day, Sir, another adjournment motion to censure the Government for declaring 16th a holiday was tabled in this House, and you, Sir, allowed it with the result that on the 15th August a full dress debate followed. We all had our say and the Chief Minister was present throughout. We pointed out the very great danger the city would be running the next day on account of this holiday and wanted to know from the Minister for law and order what arrangements were made to keep the peace. Mr. Morgan, the Leader of the European Group, passed very stringent criticism and predicted with precision what followed the next day. But all to no purpose. Mr. Suhrawardy as in 1943 when during the incumbency of his office as the Minister in charge of the Civil Supplies Department, 20 to 30 lakhs people died of starvation, assumed this time also a complacent mood. Indeed, Sir, his pride is enormous and his complacency knows no bounds. As between these two, his good sense often lies submerged. And so he remained adamant but, Sir, he lost all excuse for pleading that no due warning was given to him. In fact, it seemed as though his action was a part of a well-laid plan as to what must be done on the Direct Action Day.

Sir, the Madras correspondent of the *Hindu* gave out that a League member of the Moslem League Working Committee in course of a reply to a

query from a well-known American correspondent as to what would be done on the Direct Action Day gave him the tip that to know what the Direct Action Day would be like, he should take a trip to Calcutta to see the fireworks. The American correspondent took the hint, came to Calcutta by air on the 16th August, saw what happened and then went back to Delhi the next day with notes and photographs. All these point unmistakably to a premeditated plan according to which the Leaguers would do their worst in Calcutta.

Sir, this province is the only major province with a Muslim League Government. This city abounds with *goondas*. In addition more Moslem *goondas* were imported for the Direct Action Day and with them came also many externed *goondas* of whom the police can say how they escaped their vigilance. *Lathis*, daggers, swords, knives, spears, petrol and lorries were all kept ready.

Sir, with the rise of the sun on the 16th, there rose the cry from thousand throats "*Lorcke lenge Pakistan*" just as I predicted on the day previous. The streets of Calcutta were empty of bus and tram and no vehicles plied. The shops remained mostly closed and where open were forced to close. As the day advanced, looting started with arson and assaults. At first in the morning the cases were stray and sporadic in almost all parts of the city in all cases Moslems being the aggressors. Midday passed. Procession of Moslem rioters headed by Muslim League leaders began to pour in through all the different streets of Calcutta into the maidan. On the way to it, they began to break the heads of the people and doors and windows of shops and houses carrying terror into the hearts of the citizens. Thus they reached the maidan meeting which was presided over first by Mr. Nazimuddin and then by Mr. Suhrawardy, our Minister for Law and Order. Fiery speeches were made, the one made by the Muslim Mayor being particularly violent. Many of the processionists carried with them daggers, *lathis*, knives. Some of them had petrol and lorries too with all necessary implements for depredation. What followed on their return march from the meeting you all know. Riots of unparalleled savageries shook the whole city. The Great Calcutta Killing started. Mass massacre, arson, loot followed in indescribable horror. Cries of the innocent men, women and children dying helpless filled the sky. Riot and loot and arson, rape, rapine continued for full four days mostly unchecked by lawful authorities. Casualties mounted to about 5,000 killed and to about 10,000 wounded. Savageries of Chengiz Khan or Nadirshah paled into insignificance before what happened on the first two days of the riot.

Sir, the Government communiqué mentioned that the disturbances began in the Manicktola area but remained silent as to who started the disturbances. Sir, I think, Mr. Suhrawardy will not deny that the Moslem hooligans came from the Rajabazar side with lorries full of daggers and *lathis* and many of them also came from the eastern side of the canal. They then attacked the shops in Manicktola area because they were open on the so-called Direct Action Day. They forced the shop owners to close the shops and while doing so committed unspeakable atrocities in the locality. Sir, while this is a fact, it is also a fact that in this chamber on the previous day Mr. Suhrawardy gave a clear understanding that the non-Moslems, if they so pleased, were quite at liberty to keep their shops open and further observed that peace and tranquillity would be maintained.

At this point I desire to say that the law of the land has given the right of self-defence to the citizens. That right under certain circumstances extends even to the infliction of death on the attackers. Sir, the Hindus had to fall back on self-defence and offered resistance without any prearranged plan for it. It came about automatically as the result of an instinct for self-preservation. And when on the second day it was found that things were not going on for the Moslems quite according to plan, the military was called. Sir, the military took the field at about the evening

on the 17th August although Lieutenant-General Sixsmith was ready to take the field on the previous day. At that time the situation had gone out of hand. The military had to work hard on successive days to restore order and remove panic.

Sir, in this motion, the point is not who were the aggressors, who got the most wounds or larger killings or who won the fight. Sir, the point is whether the Government did its duty by the people committed to its charge irrespective of the question whether they were Hindus, Moslems, Sikhs or Christians. Sir, on the eve of the Black Flag Day, *i.e.*, 1st September, disturbances started in Bombay. The Government there from the very start called the military, deployed all the police, imposed curfew and promulgated section 144, Cr. P. C. In about a week's time they brought the situation under control with far fewer number of casualties and far less loss of properties than what obtained in Calcutta. The point is what the Government of Bengal here did to keep itself above censure. Why was not curfew imposed on the first day? We ask why section 144 was enforced 48 hours too late? We ask why was the military not called out even on the first day to watch the processionists go to the maidan and see them return home peacefully? Sir, not only the Government were remiss in these matters, the Ministry or at any rate some of them made the police very generally inactive during those days of horror and terror. The police simply looked on and allowed the things to happen. You must have read the correspondence in newspapers where it has been repeatedly alleged by persons from different parts of the city that the police in the first two days did not try to save the citizens or their properties even when called upon to do so. Sir, Territibazar which is within a stone's throw from Lalbazar, was looted on the 16th and many non-Moslems were killed. The police hardly did anything to prevent it. Similar stories came from Mallickbazar, College Street Bazar, Radha Bazar, Sealdah, Kalabagan, Colootola, Bowbazar, Manicktola and in fact from all parts of the city. Cold-blooded murders were committed before their very eyes, properties worth crores of rupees were looted, houses over 1,700 in number were set fire to without any effective action by the police. Sir, such inaction can be explained by a high level decision asking the police to watch and do nothing else. There was practically no Government for the first two days, the 16th and the 17th August. If Government meant business, it should have taken steps to round up all the *goondas* and the hooligans. They did nothing of the sort. It was widely reported that for the first two days, the Minister for Law and Order, Mr. Suhrawardy, was in the Control Room of the Lalbazar Thana. Was he fiddling there while Calcutta was burning? Or was he directing the police to remain inactive?

Sir, Moslem League activities and gangsterism have become convertible terms. They gave a taste of it during the last General Election. They have now followed it up with appalling carnage in Calcutta—all in the name of observing their Direct Action Day. Sir, the Bengal Ministry as the outstanding League Ministry should have been scrupulous in ensuring that the political demonstration in fulfilment of the League's declared policy of keeping the Direct Action Day peaceful caused no disturbance. What it allowed proves beyond any doubt that it decided that rioting of some sort would be good for their cause of Pakistan. Sir, they have given us a foretaste of Pakistan and now every non-Moslem worth his salt would fight to death to keep himself out of this hell. Sir, the bloody shambles which Calcutta was reduced to and to prevent which the Ministers took no timely steps loudly call for their immediate dismissal. Where honour demanded that they should of their own volition quit, these Ministers, leech-like, are still sticking to their jobs, no doubt being sure of a brute majority of votes at their back.

Sir, for a time, it seemed that sanity dawned on Mr. Suhrawardy. On his being entrusted by His Excellency the Governor with the task of forming the Ministry, Mr. Suhrawardy called the Leader of the Opposition to

form a Coalition Government. But the communal supporters of the Government proved too strong for him and he formed an undiluted Moslem League Ministry to govern a Province where non-Moslems are 48 per cent. of the population. Sir, this 48 per cent. is now without any representation in the Ministry which is responsible for formulating policy and to carry them out for the Province. Sir, under the present arrangement, the Leader of the Provincial Moslem League is also the Chief Minister of Bengal. The Ukase issued by the Moslem League Party is unreflectingly acted upon by the Government and the people committed to its charge no longer consider themselves safe. It is reported, Sir, that out of 28 police-stations in Calcutta which is predominantly a Hindu area, officers in charge of most of them are Moslems with avowed Moslem League sympathies. Besides the police service, the same policy of Moslemising the key positions by persons of League views is being sedulously pursued. Now the communally-minded Government officers have become the greatest danger to the peace and progress of the Province as a whole. Their activities have thrown into insignificance the reactionary activities of the Mollas and Maulvis who are a source of continual threats to the security of lives and properties of the non-Moslems. Sir, all these phenomena are of recent growth and have come into existence with the growth of a communal Ministry since 1937.

Sir, the poison seed was first planted by the institution of separate electorates so sedulously encouraged and allowed by the British Imperialist politicians in furtherance of their policy of "*Divide et Impera*". Sir, in urging the redress of their grievances in service or in education or in other matters, the Leaguers urged the case of the Moslems as belonging to a minority community and as such they received all due consideration. That poison seed has now fructified into a big tree. Moslems now claim to be a separate nation although the truth is that 90 per cent. of the Moslems are nothing but converts from Hinduism. Mr. Jinnah has begun to call himself as not even an Indian. Can it be a matter for surprise if his followers take steps inimical to the unity of India? For all this unwholesome and misdirected angle of vision our rulers are mainly responsible. They ought to rectify the great wrong done to India. Sir, the war was fought for establishment of Democracy and to make Democracy safe. Communalism must be laid low so that atrocities such as we are witnessing may be a thing of the past and that Democracy may thrive. Sir, Russia is peopled by various races and creeds and holds a considerable number of Mahomedans and so is the case in China. There is one Government only in each of those countries and there is no Pakistan. In size both the countries are bigger than India. In England and other countries of the West, Catholics and Protestants fought each other more viciously than the Hindus and Moslems have ever done. But for all these, England, France or Germany was not divided to make a portion of it to be ruled by the Catholics and a portion by the Protestants.

Sir, England owes a debt to India. After having successfully fought Fascism and Hitlerism, England is under the obligation to cut that poison tree to its roots and help India establish a true Democratic State. That way lies peace, that way lies freedom and independence. Peace Committees are mere patch up works and are reminders of our differences. Coalition Ministries are temporary solvents. But League communalism and League ideologies are diametrically opposed to those of the Congress. The League's ideologies are so inimical to the growth of Democratic independence in India that they should be eradicated root and branch through the operation of joint electorates before we can hope for true democratic independence, durable peace and a strong defence of India against aggression.

Mr. PRESIDENT: Order, order. Motion moved that this Council do adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the failure of the Government to maintain law and order, peace and tranquillity in the

city of Calcutta as from the 16th August last for full four days resulting in riots of unparalleled savagery, casualties mounting to about 5,000 killed and about 10,000 wounded, besides breaking of shops and houses, setting them to fire and looting of properties worth crores of rupees, no proper and timely steps having been taken to prevent them occurring.

Mr. KAMINI KUMAR DUTTA: I rise in support of the adjournment motion relating to the communal carnage in Calcutta from the 16th August for some days continuously—a catastrophe of unprecedented magnitude in India's history. Large-scale cruelty and violation of all social canons perpetrated in this carnage constitute a diabolical crime against humanity. Irrespective of party affiliation the subject of this motion must be discussed in a dispassionate manner as the future of Bengal depends upon the lesson we learn from this unparalleled tragedy. One journalist has aptly described it as a "Fury", an expression taken from mediaeval history. The appalling result has been the slaugher and wounding of over 20,000 people, mainly the innocent poor of both communities—unfortunate victims of political demonstration. The financial loss has been gigantic.

Rioting arose from Muslim League's political demonstration. Bengal, a major Indian Province, has a full Muslim League Ministry. The Ministry in charge of administration of the province had identified itself with the demonstration of the Direct Action Day and did notify it as a public holiday. Maintenance of law and order is any Ministry's prime obligation. As the outstanding League Ministry in India, scrupulous care and precaution ought to have been taken against every possibility of disturbance. But the course of the rioting, slaughter and pillage and the participation of the armed and organised Muslim mob ostensibly assembled for the demonstration of the Direct Action Day had the irresistible conclusion that there must have been some deliberation and organisation to set this campaign for slaughter and pillage on its way. The political public demonstration organised by the Muslim League had its outward manifestation in acts of violence and attempt to enforce its injunction upon the public. On 29th July, 1946, the Council of the All-India Muslim League passed the Direct Action resolution at Bombay. It was reported in the press from New Delhi on the 7th August, 1946, that Mr. Liaquat Ali Khan, General Secretary of the All-India Muslim League, declared that "Direct Action means resorting to non-constitutional methods". He further explained that it can take any form and whatever form may suit the conditions under which we live. He further said, "we cannot eliminate any method. Direct Action means any action against law". This was a clear declaration of sanction for violence.

Muslim League press for days before the 16th August had been persistently poisoning the Muslim mind through writings calculated to inflame bitter communal hatred and was openly advocating violence and publishing sinister significance of the Direct Action being inaugurated in the month of Ramjan. This can be verified by reference to the writings of the influential League dailies—English and Vernacular. Various pamphlets were circulated in Urdu through mosques appealing to the fanaticism of the Muslim masses. Even Sir Nazimuddin asserted that Muslims were not non-violent and Bengal Muslims know well what Direct Action means. Thus the ground for the Direct Action Day demonstration of the 16th August was laid. That there were reckless slaughter, arson, looting and pillage and other atrocities, committed on the 16th August is an undeniable fact. The only problem is to ascertain the genesis of the trouble and origination of this carnage. It was a patent fact observed by all that Muslims on the public streets on that day carried *lathis*, crow-bars, iron rods and other kinds of offensive weapons. From early in the morning the offensive was taken by the Muslim volunteers and processionists in different parts of the city. Muslim national guards were inciting the crowd. After the maidan meeting looting, burning and killing of Hindus started on a large scale simultaneously

throughout the city. Loads of dangerous weapons were seen being distributed by red-ribboned Muslim volunteers from a number of lorries. An open outbreak of violence of the most atrocious character in the city on the 16th August is an admitted fact, but there was significant complete police inaction on the 16th and 17th August evidently under superior directive. Troops were not requisitioned till after 12-30 p.m. on the 17th August. A careful scrutiny of the statement of Brigadier Sixsmith, officiating Commander, Bengal and Assam Area, to the press does reveal that (1) on the morning of the 16th August reports of certain cases of violence reached him, (2) outbreak of lawlessness, looting and of rapid deterioration of the situation had reached the authorities before 2-45 p.m. on the 16th August. The Chief Secretary to the Government with the Governor was at Lalbazar. Brigadier Sixsmith met them there and they were given a rapid appreciation of the situation by the Commissioner of Police; they were told that there had been a considerable amount of looting. Brigadier Sixsmith said, the riotous crowd offered no opposition to the Police—a very significant fact clearly indicating that the Police was fully inactive and the looters had been assured that there would be no Police interference with their depredation and the crowd was very friendly to the Police by mutual understanding. This pacific attitude of the crowd engaged in looting and arson towards the Police and the reciprocal inaction of the Police can only be attributed to direction to the Police to be inactive and authoritative assurance to the plundering mob of instructed Police inaction. Brigadier Sixsmith further said "Police had hitherto not a single round." His convoy was not attacked. He also said that he made it quite clear to the authorities that he considered that the Police should restore order. He decided, however, that the situation was such that the military must make some move. He ordered a battalion to be ready to move immediately. Later in the day Brigadier Sixsmith and the Chief Secretary toured the city. There was no threat of violence to his party. They met a certain number of processions but they did not bar the way. The crowd of hooligans was apparently under definite direction and instruction as to their *modus operandi*. The armed mob which was so active on plundering, arson and murder was extraordinarily pacific to the Police and the Police also reciprocated by magnanimous inaction. At 12-30 p.m. on 17th August he was informed by telephone that the Police considered that they could no longer control the situation without military assistance. Apparently reprisal by the Hindus had then begun. He further says that a plan was discussed on the 16th between the civil and military authorities by which it was decided only to keep open certain main roads. So on the 16th the hooligans were left quite free to carry on their work of manslaughter, looting and arson though the authorities were fully apprised of the situation. On the 17th morning he and the Governor toured the city. The attitude of the crowd was different—evidently it was not the unchecked marauding crowd of the Muslim processionists of the 16th who were assured of the inaction of the authorities to all their acts of depredation, but those who were bent on reprisal for the atrocities of the 16th. He saw three men being beaten to death on that day. Then on returning to Headquarters after consultation with the civil authorities he ordered the military forces to be fully used to restore order. Report of a serious situation at Matiabruz reached him at 4 p.m. The inhuman slaughter of innocent Hindus there was not checked. Brigadier Sixsmith being asked whether conditions in by-lanes where much of the fighting took place on Friday afternoon, *i.e.*, 16th August, were such as to require the calling out of the military, he said that it was not the business of the military to maintain order. Military was to be employed in the last resort. Intervening Mr. R. L. Walker, Chief Secretary, said that the decision at the time was in the hands of the Government, *i.e.*, the Ministry.

Major-General Bucher said that military had been able to restore order by 19th August. Reference to details of the appalling incidents of those days is not possible in this statement. It is said that Hon'ble Chief Minister

was in the Control Room at Police Headquarters on the 16th and subsequently. *Dawn* writes "It was this much-maligned Muslim Premier, who sat for hours on end throughout the three most disturbed days and nights in the Control Room at Police Headquarters to ensure that the resources of the Government were being used properly for the suppression of the orgies that were going on". Indeed the Police was effectively controlled to inactivity. His action in the Control Room would be fully inquired into in another forum.

(Here the member reached the time-limit and resumed his seat.)

Khan Sahib Maulvi WAHIDUZZAMAN: Sir, I rise to oppose the motion moved by Mr. Lalit Chandra Das. I wish Mr. Das had not moved the motion at all at this present situation of the country but when I find that he has taken upon himself the responsibility of provoking the Muslim community once again, when I find that it is their policy to do this once again—and this time the responsibility of moving this motion has shifted from the leaders of the Congress-controlled Hindu Mahasabha to the Congress itself—it is a good sign and we should take advantage of it. Sir, on the 16th August and the days following we have seen how the Congress were determined to see that Muslims of India do not talk of Pakisthan, not to think of achieving it. That determination of the Congress had practically led to the incidents of the 16th onwards. On the 14th at the Deshapriya Park leaders of the Congress Party urged upon the young men to see that the Muslims did not succeed in taking their processions out to the maidan. (Mr. LALIT CHANDRA DAS: Question. It is false.) May be false according to you but they were not false but bare truths. Sir, I had an opportunity of going to the Calcutta Medical College Hospital on the 16th at 11 o'clock with Mr. Abdur Rashid, the Parliamentary Secretary in the Department of Medical and Public Health, for his own personal reasons and with another gentleman Mr. Ranjit Kumar Mukherjee, a Christian gentleman, and when we went there we found that there were already about 30 injured, almost all of them were Muslims, only one or two were Hindus. When the number of the injured reached 50 or 60 I ran to the Chief Minister to tell him what was the situation. Park Circus, which is considered to be the centre of intelligentsia of the Muslims, did not know what was happening in Calcutta. That locality did not know what was happening in Calcutta even up to 5 p.m. on that day. Now, Sir, at about 12-30 p.m. I ran to Mr. Suhrawardy and I found that he had already gone out. I left a note saying that about 60 injured persons had arrived at the Medical College Hospitals, most of whom were Muslims. I then came back to the Medical College Hospitals. From that place we proceeded to Campbell Hospital at about 1 o'clock. At the junction of Amherst Street and Bowbazar Street we found the Hindu mob led by no less a person that Mr. Netai Ghose who is supposed to be somebody of the I.N.A. Relief Fund had gathered on both sides of the road to see that the Muslims did not pass that way. When we approached the junction the Hindu mob pounced upon us like so many mad dogs and began throwing brickbats and stones and started hurling *lathis* and rods on the car. What the police was doing we do not know but at that time, Sir, the police was led by Hindu Deputy Commissioners on both sides. On that particular day, Sir, I am told that Mr. Doha went on leave for reasons of health and the charge of this city was held by whom I do not know; it was perhaps held by the *de facto* Police Commissioner Mr. Hirendra Nath Sarkar and by the Deputy Commissioner Rai Bahadur S. N. Mukherjee. Anyhow it was a fact that the police did not come to help us at that time.

Mr. BIJOY SINGH NAHAR: Is not the Minister in charge of Law and Order responsible for this?

Khan Sahib Maulvi WAHIDUZZAMAN: The Minister in charge of Law and Order is certainly responsible but he must look to his officers to properly administer it and if his officers do not come to help, well, certainly you cannot hold him responsible till he can find better officers to administer law and order.

Sir, we reached the Campbell School Hospitals and were standing in the compound. At about 1 o'clock, Hindus, Caste Hindus, from within lanes, Serpentine Lane, for example, and other lanes on the Lower Circular Road threw brickbats, soda water bottles and stones on the passersby whenever they found that Muslims were passing that way, and whenever a Muslim truck carrying Muslim volunteers was passing that way they were throwing brickbats, soda water bottles, etc. It is only then that 10/12 Muslims collected together and started protecting themselves against this assault and immediately after that hand bombs were thrown on them from within that lane. Sir, if this is not evidence of determination, premeditated determination to thwart Muslim processionists from peaceful demonstration, Sir, what else is premeditated determination, I do not know. Why these hand bombs were kept there I do not know. If these were kept there for the purpose of protecting themselves, well, Sir, I do not know whether that was a direction of that saint advocate of non-violence and their non-violent followers I do not know. Well, Sir, I found at one corner that a double-barrel gun was fired at but none was fortunately injured. At half past two we took courage and moved out from that place because another procession was coming near Moulali and joined that at the Moulali corner. But while the procession was in front of the Bengal Provincial Congress Committee Office we found that that procession was being attacked by the Hindus and stones and brickbats were being thrown from the building which the Bengal Provincial Congress Committee Office happens to occupy. I do not know, Sir, whether this was a premeditated plan or this was an afterthought. Sir, from there we then came back to our place and then proceeded to the maidan meeting and we found that the Muslims, in spite of the determined efforts of the Hindus to prevent them from coming to the maidan, came to the maidan as directed. We went to the maidan. What we found there? The different Muslim processionists coming from different areas told us their tales of woe, how they were injured by brickbats, etc., on the way and asked us "What are you going to do?" They approached the Chief Minister and the Chief Minister said "Well, it is the direction of the Quade-Azam not to do anything untoward; you must be very peaceful." In spite of all these happenings, Sir, the speeches at the meeting were not at all inciting. If the mob was incited by fiery speeches we do not know what would have happened that day. I know actually, Sir, that one of these processions wanted to go to the Bhowanipore area to retaliate. At this the Chief Minister came in and asked "Are you going to act against the directions of the Quade-Azam?" Only that could prevent the mob from going towards Bhowanipore area. I can tell you, Sir, if the mob was not prevented by the Chief Minister from going to Bhowanipore area I do not know what havoc would have been wrought there. At least perhaps the Muslim lives in the Bhowanipore area could have been saved and they could not have been butchered in the manner it was done. Muslim houses could not have been demolished in the way it was done, but certainly, Sir, some Hindu lives would have been lost. They did not go to Bhowanipore to retaliate because it would be going against the direction of the Quade-Azam and yet I wonder how the Opposition can come forward and tell us today that it was the premeditated action of the Muslim League that led to the riots. You know very well what it means because you come forward to tell us that this is not what we wanted, this is something else. You talk of provocation. What happened in Kushtia the other day? The Sikhs, who are your soldiers, you call them *goondas*, or *bhadralogs*, or anything else, but they are used as your *goondas*. What did they do at Kushtia?

Mr. PRESIDENT: Your time is up.

(The member then resumed his seat.)

Mr. HARIDAS MAJUMDAR: I rise to support the motion moved by my honourable friend Mr. Lalit Chandra Das.

Sir, we meet here under the shadow of a great calamity, and this Council in its history was never called upon to consider a more important matter than the loss of thousands of lives and crores of rupees at the hands of the unruly elements of Calcutta which is described as the Second City of the Empire, honeycombed as it is with the Police and the military. Last time I spoke here, *i.e.*, on the 15th August, I expressed my apprehension of what might happen and my views were shared by the leader of the European Group who referred as I had done to the general industrial unrest and the inopportune character of the Government declaration of the 16th as a public holiday. It is seldom that the European Group differs with a Ministry in power and when it does so it must be acting with a due sense of responsibility. The Ministry notorious for its scant regard for Indian members of the Opposition should have paid heed to this warning from a representative of the British mercantile community employing and handling lakhs of labourers in the vicinity of Calcutta. Sir, Mr. Morgan said in clear, unambiguous terms that to keep this large number of men off from their work was very unwise. This Council through some of its spokesmen did its duty in trying to dissuade the Ministry from a dangerous course but this Chief Minister Mr. Suhrawardy with his chronic plethora of self-esteem has brought about the death of thousands of God's creatures who, I am sure, were mostly innocent, the *goondas* always making their escape. Last time I mentioned the unfortunate speech of Mr. Khwaja Nazimuddin which acted as an incitement to violence at a time when, to quote from my last speech "Bengal was volatile and explosive". If Mr. Khwaja Nazimuddin who was the custodian of law and order in Bengal too long and had managed to maintain a deceptive appearance all the while had been warned by the authorities that be the news would have produced electric effect and the unruly elements of the Muslim League would have been sufficiently unnerved and the city would have been spared revolting scenes unprecedented since the days of Ahmed Shah Abdali and Nadir Shah. If we take all things together, we are led to the irresistible conclusion that this orgy of murder, loot and rape was a well-laid conspiracy of the Muslim League. The *Azad* newspaper, the organ of the League in the Bengali language, published on the 16th August a scurrilous article for which the editor should be prosecuted. Leaflets were distributed and pasted on walls declaring war upon the Hindus as the Prophet had declared war on unbelievers on this date of the 16th August. The *Azad* article was couched in similar terms. But these modern Chengiz Khans should not lay the flattering unction to their souls that Hindus have been taught a lesson of their lifetime because loss of Muslim life has been as appalling as that of Hindu life. As a resident of this city for the last 35 years I have never seen so much solidarity among all classes of Hindus, from the Brahmin to the *mehtar*, from the Sikh to the Vaishnava, from the Bengalee Hindu clerk to the up-country *goalas* to repel the attacks of the assailants. Still the loss of life and property among Hindus and Muslims has been colossal and I shudder to think what will befall the districts unless the Government turn a new leaf and take prompt steps for controlling riot at its first appearance. Had the Government acted swiftly here on the 16th and opened fire at the first outbreak of violence, 50 lives only instead of thousands would have been lost. To avoid conflagration specially in East Bengal this Council should express its opinion with all the emphasis at its command. We must do everything in our power to put an end to what is nothing but fratricide before our common father. In this connection, Sir, I want to put certain straight questions to the Chief Minister. The Ministry have failed to maintain law and order—the primary duty of a civilised

Government; thus they have failed to save lives and properties of the governed. The Chief Minister as the President of the Bengal Provincial League...(cries of No, no)...Has he nothing to do with the League? (VOICES: Nothing.) He was President at the meeting held on the 16th declaring the "Direct Action" and was practically playing a double role which as an honourable gentleman he ought not to have done. Like Congress he ought to have resigned before presiding over a mass meeting on the Direct Action Day. I would ask the Chief Minister why the processions were not properly escorted by the Police. The Chief Minister being in charge of Home portfolio ought to have seen that all the processions are under proper Police escort—which even religious processions are bound to have. Did he do it? When processions are found unruly and disorderly the Chief ought to have declared them unlawful and would certainly take steps to see them dispersed. Did he do it?

I need not dwell on the control room controlled by the Chief. When Rome was burning Nero was fiddling. May I ask here if "inaction" of the Police during the 16th and a part of the 17th which brought about the great killing and looting was not the outcome of the deliberate conspiracy? Will the Hon'ble Minister reply to these points?

These facts are sufficient to give him cause for resignation. He has failed to maintain law and order of the city and of the Province and therefore he should resign. The Ministry should be reshuffled and with Hindus and Muslims a good Ministry should be formed in order to save the country from further trouble.

Mr. C. MORGAN: Mr. President, Sir, I rise to speak on behalf of all peaceful citizens of Calcutta and residents in Bengal. I am a resident of Bengal. It is not a question of who threw the first brick. That aspect can be dealt with by the Committee of Enquiry which was asked for by both parties. It is a question of what steps were taken by Government to prevent any one throwing bricks. We are not criticising Government because it happens to be a Muslim Government. Had any other Government been in power, our criticism would have been the same, if the failure of maintaining law and order had had similar results as that which, in our opinion, brought about the disaster of 16th to 19th August. If a Committee of Enquiry had not been appointed I would probably have moved an amendment for the setting up of such an Enquiry. Now that the Committee has been set up we can await its report before taking any definite action. We will then have the facts before us and can judge Government on those findings. We hope the Commission of Enquiry will submit its report at an early date. We particularly want to know whether the Chief Minister, who was in charge of the portfolio of law and order, ordered adequate preparations to be made as would prevent trouble. We do not know what orders were given to the police on 16th and 17th August. From press reports it was not till 12-30 p.m. on Saturday 17th that the Police intimated they could not control the situation; and after consultation with the Chief Secretary, the military were called out in support.

Sir, in view of what was said by the Opposition, and by me on Thursday the 15th and from the reply given by the Chief Minister, it was evident to every one that trouble was to be expected. What orders were given to the Police in advance to meet possible trouble?

We know the Police force is quite inadequate to cope with rioting in Calcutta and in the mufassal. As Government must have known this why was military aid not asked for in the first instance. Other places in India did this. Why not Bengal. This is a question, Sir, of the failure of Government, however constituted, to protect the people committed to their charge. On that score the present Government could not escape criticism. I do not know what the Chief Minister will say in reply to this debate, but, unless he can give this House facts, which we are not in possession

of at present, which will show that all possible measures were taken to prevent trouble arising, and that the Police did all in their power to prevent and stop the rioting and wholesale slaughter on the 16th and 17th, but were overpowered, we cannot but be convinced that, whatever precautions were taken by Government they proved inadequate. I think, Sir, only a Coalition Government can function with any chance of success in Bengal.

In our opinion a Ministry formed by *either* of the two major parties *alone* cannot be completely successful either in restoring peace and confidence, or in tackling the many urgent problems confronting the province. We consider that a Muslim League-Congress Coalition is essential if we are to have peace and progress in this province, and I would appeal to the leaders of both parties to get together and form a Coalition as soon as possible.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, at the outset I must say that it is very unfortunate that the Opposition had selected an Adjournment Motion as an occasion for discussing one of the worst calamities that has happened in the city of Calcutta as only two hours time is given to the motion and only 10 minutes for each member to speak on and all the members will not have even this 10 minutes to express their views in the matter. On an occasion like this I think we should put on record our sympathy and sorrow at the colossal loss of human lives of all communities and the sad plight to which the relations of the deceased have been put. Sir, it is not time that we should now try to apportion the blame. Time has come when we should take stock of the present situation. It is a fact and it is realised by everybody that the province is buried in sorrow and the feelings are high and that a spark here or a spark there may develop into a huge fire and be detrimental not only to the city but to the entire countryside and fresh conflagration may start. My Hindu friends know very well the scare that is now prevalent in the villages. We are anxiously watching the atmosphere and we are trying to do our level best to see that the disturbances do not go beyond control which is possible to exercise in the city, but in the villages it will be impossible to control. The atmosphere is already tense and the least violence shown in the speeches here or elsewhere will expose the people at large to dangers of mob violence. Sir, at the outset I should say that Mr. Morgan's appeal for a Coalition Government is to a certain extent shared by me and I also admit that a coalition is essential for the purpose of bringing the two communities to an understanding of each other's feelings, but a Coalition Government here in Bengal should have its counter-part in the Centre and in the 10 other provinces. As there is no coalition in the Centre and in the 10 other provinces a coalition here alone may not prove much of a success as those of the other communities who will be taken in as Ministers in the Coalition Government may fight outside their office rooms on communal lines and put counter proposals. Therefore it will be an absurdity to have a coalition here alone, Bengal being divorced from the rest of the country where the Government are not run on an all-party basis. Therefore, Sir, let us have the support of all sections of the people, Bengalee Hindus in particular, to press upon the Congress elsewhere to see that a coalition is really brought about, to start with at the Centre, and then let it be a coalition all over the country. Then only we can have a really progressive administration working for the people of the country and having the confidence of the people.

Now, Sir, coming to the riot itself. My friends opposite and the Leader of the Congress have viewed the question entirely from one side, from the point of view of their community. May I remind him what I said on the 15th August, i.e., the day previous to the Direct Action Day. I said that day that there was no apprehension so far as the

Muslims were concerned of any riot or any trouble brewing as the Muslims were only exercising their legitimate right of having a demonstration to express their political convictions. The trouble, if there was any, will be from the Opposition, from the Hindus, and, as a matter of fact, everything was being done by the Hindus from the 12th to thwart the Muslim demonstration. Here I have got a pamphlet in my hand issued over the signatures of Hindu Mahasabha leaders like Mr. Ashutosh Lahiri, Secretary of the Bengal Hindu Mahasabha, Mr. Narendra Nath Das, President of the same, Mr. Makhan Lal Biswas, Mr. D. K. Ghosh and others belonging to the same organisation, on the 14th August inciting the Hindus to see that the Muslim Direct Action Day and the *hartal* that was observed the same day, namely, the 16th August, was not peaceful and ended in a fiasco. What they wished for had actually come about leading to riots, looting, etc. Perhaps it was their fear that if the *hartal* succeeded Pakistan would be established. What greater incentive could there be to excite the Hindus to see that the peaceful demonstration that was declared on the 16th is obstructed and declared a failure? Once you have started a campaign of obstruction, is it any wonder that it will end in the way it did? On the 16th, the earliest cases of wounded and dead to come to the hospitals were at 7-30 a.m. and came from the Shambazar side, and hospital records will show that right up to 1-30 p.m. in the afternoon of that day practically 90 per cent. of the injured who were coming in were all Muslims. It is a fact that most of the Muslim processionists were attacked at the very beginning of their start and this will show the amount of preparation the Hindus had made to put up this obstruction. But the Enquiry Commission will go into them, and I need not go into them now. We have got enormous details that will show how the Hindus had been preparing themselves, how they at first assaulted the Mussalmans in the Hindu quarters and how they were taken completely by surprise. School boys and girls of a tender age, old men and women were murdered that day. It cannot be conceived that anybody who was going to attend a meeting would think that his life would be in danger on his way to the meeting or on his way back home. But, Sir, that is what has happened and these unarmed people were massacred on the 16th afternoon, and it went on right up to the 18th and Muslims were being killed, but soon the Muslims woke up. On the 17th morning, I tried to contact some Hindu leaders and came in touch with some in order to impress upon them the necessity of going round the city and calling a halt to this killing. But, Sir, on some excuse or other, they were unwilling or thought that it would be useless to do so, for the Hindus knew that they were fully prepared to carry on the campaign of killing which they had started after a good preparation beforehand and would be able to deal with the city and the poor Muslims according as they chose. But on the 18th the Muslims too began to stir and retaliation came from them. It is true and I am most grieved that so many Hindu lives were lost, as I am grieved that so many Moslem lives were also lost. It is also a fact that those who were quite unarmed were assaulted and done to death in the most brutal manner. Sir, the worst feature of the riot was the part that organised Hindu educated young men took. It was not a riot limited to *goondas*, and carters, or to Sikhs as it happened in the case of past riots, but this time it is organised Hindu educated young men that have started cowardly attacks and assassinations on unarmed and defenceless Moslems. Even children of seven months were not spared and the tragedy of the whole thing is that in most cases when the first blow was struck "Jai Hind" was the first word that was uttered. Instead of being a word characteristic of the Hindu nation's political aspirations this expression will go down in history as the invocation of the most cowardly fury for attacking unarmed and helpless fellow beings.

The question of police not taking any action has been raised and I may say that on the 16th we did not see any police. On the 17th also right up to 2 o'clock in the afternoon practically there was no sign of the police. We have asked the Hon'ble Chief Minister to explain this as to why there was no police on these two days, while the hooligans were engaged in killing and looting. Speaking a few hurried words as he was very busy, he said that he had already ordered for the military to be brought in, but up to 2-30 p.m. on the 16th, we saw no military on the streets of Calcutta. But we want to ask: was he properly advised by the executive machinery to keep order in the city. Either the police was deliberately inactive or could not cope with the situation throughout—whether they are Muslim or Hindu, I do not like to know. But we want to know how the police behaved when information was given to them that at Jagu Babu Bazar about 200 Muslims who were coming from south to north were attacked by 10,000 Hindus. The Bhowanipore police were informed that hundreds of Sikhs were moving with drawn swords and creating road blockades. The Bhowanipore police-station reported that they did not find any Sikhs, that they were working peacefully in the workshops. Thus when actually Muslims were being slaughtered, the Bhowanipore police took no action——

(Here the member reached the time limit and resumed his seat.)

Mr. AMULYADHONE ROY: Sir, the present situation of the country when the public mind is greatly agitated over the tragedy which befell the city of Calcutta——

Mr. PRESIDENT: Mr. Roy, come to the microphone. We can't hear you.

Mr. AMULYADHONE ROY: You will hear, Sir, now.

Never was the calamity befalling India greater than the inhuman slaughter of humanity during the civil war at Ahmedabad, Bombay, Calcutta and other places. Never was needed a greater control over one's language, tone and temper than it needs at the moment. I have been most extremely shocked, my feelings have been most deeply wounded on account of the general massacre of men, women and children. I am quite in agreement with my colleagues of the Congress benches that law and order, peace and tranquillity should be maintained: But, Sir, owing to the atmosphere now prevailing, I honestly differ as regards the course adopted by them. Are they not going to endanger the peace, life and property of the people by the path they have chosen? The real remedy lies not in moving or carrying an adjournment motion, but in our good will and sincerity. The solution depends on the political settlement between the different communities concerned on the basis of recognition of mutual rights and claims and by the abandonment of the idea of domination, surrender and submission at the point of bayonet borrowed from alien creditors. If anybody deserves condemnation, it is the policy of shamelessly appeasing one community and mercilessly sacrificing the others, followed by the Viceroy and the British Cabinet led by the Labour Party in England.

I shall now deal with the latter portion of the adjournment motion where it is stated that no proper and timely steps have been taken to prevent the occurrence.

Sir, the Leader of the Opposition has also said that direction was given to the police to be inactive. Sir, I do not know whether timely and proper action was taken. Sir, I do not know whether the Ministry was confronted with the difficulty in the way of communal and sectarian prejudices of the police service whereby Hindu police officers might have shot the Muslims and Muslim police officers might have shot

the Hindus and the Caste Hindu police officers might have shot the Scheduled Castes. But I know, Sir, that His Excellency having been invested under the Act of 1935, with discretionary power, individual judgment and special responsibility for the prevention of menace to tranquillity and peace can reduce the Ministry to a nullity, if he merely wills it. The fact that His Excellency did not interfere raises to a non-observer of the occurrence, a reasonable presumption that timely action was not taken.

Now, Sir, I shall deal with another part of the resolution, where Mr. Lalit Chandra Das said that the Ministry failed to prevent the occurrences from occurring. Sir, I do not assume that the honourable mover of this adjournment motion, Mr. Lalit Chandra Das, is ignorant of the realities that law and order cannot prevent a crime, but, Sir, law and order can suppress it. Could the Congress Governments in the other provinces backed by the experience of the disturbances of Calcutta, being armed with bayonets of the British at their disposal and determined to shoot the people to save the face of the Interim Government at the Centre, prevent riots from occurring? When people are determined to fight for their conviction, no amount of suppression can prevent a riot.

Sir, with these few words, I take my seat.

Mr. NAGENDRA NATH MAHALANOBISH: Sir, I beg to support the resolution moved by my friend Mr. Lalit Chandra Das. The terrible massacre of thousands of men, women and children and the wanton acts of arson and loot that was perpetrated in Calcutta on the Muslim League Direct Action Day, *i.e.*, on the 16th day of August, and subsequent days is unprecedented and unparalleled in the history of India.

At the lowest computation about five to seven thousand men, women and children were killed and butchered and 30,000 or more were injured and maimed in the shops, residential houses and streets of Calcutta.

It was a surprise attack on the Hindu residents who were lulled into a false sense of security by the declarations of some of the leaders of the Muslim League.

This was intended to strike terror into the hearts of the Hindus by mass massacre, arson and loot in purely Nadir Shahi fashion. But the ultimate result was that both Hindus and Muslims had to die violent death at the hands of riotous mobs and properties worth crores of rupees mostly belonging to Hindus were either looted, burnt or otherwise destroyed.

Let us enquire what led to this horrible carnage. I would like to ask honourable members to recall some outstanding facts that took place in recent months. First, the open threat of civil war by Muslim League leaders unless Pakisthan was conceded. Secondly, the resentment of the Muslim League at the Cabinet Mission's "No" to Pakistan demand. Thirdly, the Muslim League Council's resolution revoking the acceptance of Cabinet Mission's plan as a whole and the further resolution of Direct Action. Fourthly, the adoption by the Muslim League of the slogan of "Larke Lenge Pakistan". Fifthly, the mischievous public declaration by Khwaja Nazimuddin, Muslim League Working Committee Member, saying that Bengal Muslims knew what was meant by Direct Action and that the League did not believe in non-violence. Sixthly, the Bengal Chief Minister Mr. Suhrawardy's statements in which he practically declared that if any Interim Government at the Centre was formed without the League, Bengal would declare independence. Seventhly, the declaration by the League Ministry of Bengal that the Direct Action Day would be a public holiday in the teeth of the opposition of all other sections of the people of this province.

The cumulative effect of all these was to excite the Muslim Leaguers to a very high pitch of frenzy and they were made to believe that as Bengal was already a Pakistan area they could do anything they liked with the Hindus.

It is well-known that Mr. Suhrawardy, Bengal's Chief Minister, exercises considerable influence over the Calcutta goondas, and this influence has made him what he is today.

On the 15th August, he declared in this House that the 16th was notified as a public holiday, with a view to prevent any possible disturbances. But while he was giving this assurance to this House, his agents were importing goondas (including many externed goondas) from outside and his followers in this city were collecting *lathis*, daggers, swords, brickbats and other lethal weapons for Direct Action.

Though every procession in Calcutta requires a licence and police are deputed to see that no disturbance can take place, the Direct Action Day processions of the Muslim League had no licence and no police was deputed. Procession after procession started from all parts of the city and moved towards the maidan with all sorts of lethal weapons. On their way to and back from the maidan, every Hindu shop either open or closed was broken into, looted and destroyed and persons found therein were killed or murderously assaulted.

The innocent Hindu pedestrains wherever found were attacked, mercilessly assaulted and killed. Hindu shops were looted, burnt and destroyed. Hindu residential houses were broken open, inmates, men, women and children, were either instantaneously killed or dragged out on the streets and mercilessly beaten to death. Even babies in mothers' arms were not spared. They were cut to pieces before the eyes of their mothers or thrown out of windows or from the roof to perish on the streets below. School and college students were dragged out from their messes and hostels and hacked to death. Family after family of Hindu residents were wiped out one after another in a most cruel and brutal manner. As if these were not sufficient the Muslim mob paraded the trunkless heads and headless trunks of murdered Hindu men and women in the public streets. While all these were being done by the Muslim mob, lorries and taxis with loads of *lathis*, daggers, brickbats, petrol and kerosene were being driven to several fronts to supply them to the Muslim *goondas* and rioters.

Mr. Suhrawardy's own motor vehicle and vehicles under his control were seen moving about—to supply bread and milk and other provisions to the riotous mob and he himself was found to move about amongst the rioters in perfect safety and to talk to them heedless of the calls and cries of the unfortunate victims for help. This carnage went on for two days and two nights without the slightest attempt on the part of the Government of Bengal or on the part of Mr. Suhrawardy, though he was often seen in Lal Bazar police office. The police was conspicuous by its absence and wherever one or two stray constables or sergeants were found, they stood like statues, save and except when they were found to join in the loot. They paid no heed to calls for help, if they cared to reply, their reply was "Hookum Nehi Hai".

The most distressing part of the whole affair was that Muslim officers in charge of police-stations, were actually found to join in the *zehad* against the Hindus. Muslim citizens supposed to be respectable were found to use their guns against their Hindu neighbours living in their houses. And the commander-in-chief of the Muslim National Guard in uniform—one league M.L.A.—led the guards in action.

The Police Commissioner and Deputy Commissioners and several thana Officers were repeatedly phoned by many Hindu residents for immediate help, but in most cases there was either no response or no

help with the result that most of the unfortunate men who could not escape had to die at the hands of the hooligans. But Muslim calls were promptly attended to and immediate help was ordered. After a time the telephone system was adapted for the benefit of the rioters. While Hindus in danger could not have connections with the authorities or relatives, the rioters could. It is shocking to hear that even in the carrying of the dead or injured discrimination was shown and while Muslims injured were promptly taken to hospital, Hindus were left to die in the streets. The Muslim dead also were picked up and carried away while the Hindu dead were left for the vultures.

It is said that the Chief Minister himself had passed orders definitely asking the police not to interfere even if there were any disturbances. The Chief Minister who was apprehensive of disturbance on the 15th August, did not take any precautionary measures against any possible outbreak of violence and did not raise his little finger during the first two days to put down the disturbance by rigorous police measures. The reason was obvious. This cannot be the conduct of any man who did not know anything about what was going to happen. It is the conduct of the man who appears to have deliberately planned it and who wanted to see it through according to his plan. Fortunately for Calcutta, the Hindus after recovering from the first shock of the surprise attack had to organise defence and began to resist the hooligans. But for this the loss of lives would have been ten times greater. When the defenders of Hindu Calcutta took up the defence successfully in various parts of the city, the leader thought his game was up and the military was called up at the last moment. The sacking of Calcutta could not succeed to the fullest extent, but even then the loss of life and property was appalling.

These facts clearly show that the Muslim League leaders deliberately created the situation which culminated in this carnage; that what happened in Calcutta was pre-arranged and Mr. Suhrawardy's hand was distinctly visible in the plan and its execution; that he deliberately and with a purpose omitted to take any precaution to prevent any outbreak of violence; that he deliberately and with a purpose definitely prevented the police from doing their duty in maintaining law and order and made the police pawns in his nefarious game.

It has been suggested that the Hindus were responsible for all this as they had first attacked the non-violent and peaceful Moslem processionists when they were not even prepared for their defence Nothing could be farther from truth and there is overwhelming evidence to give the lie direct to this false defence. If really the Hindus were aggressors and if Mr. Suhrawardy was anxious to prevent disturbances he had no excuse for his conduct. He had no excuse for not taking any precautionary measures beforehand; he had no excuse in not taking any action for two days when according to him his innocent faithfuls—his Muslim Leaguers, were being attacked and killed by the Hindus. Mr. Suhrawardy signally failed to do his duty to his God, to his community and to his country, leaving aside the question of the protection of the Hindus. A repetition of such carnage can never be prevented unless Mr. Suhrawardy, the man responsible for all this, is put on his trial. Bengal demands a public trial of the Minister in charge of Law and Order. The tormented souls of those Hindus and Muslims who met with such violent and cruel death for the acts and omissions of Mr. Suhrawardy are crying for justice and they will not rest in peace till he is brought to book. And in the meanwhile Mr. Suhrawardy and his Ministry having proved themselves unworthy of the trust reposed in them, having proved themselves unfit to protect the lives and properties of the people of the province—must abdicate or be dismissed without any further delay.

Before I conclude I must tell all concerned that the Hindus of Bengal are determined not to submit to terrorism and goondaism—that all your attempts to terrorise must fail.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: I consider it singularly inopportune, Sir, to discuss a matter of such grave calamity in an adjournment motion. But I shall take this opportunity of conveying the sympathy of every one of this House, our deep sense of condolence for those who have suffered and fallen victims, innocent victims of this disturbance in Calcutta. I entirely agree that if there is any value of a motion of this character it is, as Mr. Morgan has pointed out today, the prevention of any recurrence or recrudescence of any such trouble not only in Calcutta, but anywhere else in Bengal; it has got no other value.

Sir, I feel that this is an occasion on which tempers and conduct should be so guided that they must not have any reaction anywhere outside. And we should be wholly untrue to the traditions of any Legislature, if by any single sentence in our speech anything is done which might create conditions of violence and disorder anywhere, so that we should all be very careful about the language we use in the Legislature. But I am very sorry to observe that there has been one such speech here which may well flare up the feeling of both communities, particularly when a Commission is sitting over the whole affair.

Sir, in discussing this matter, one aspect is forgotten. First of all I say there is actually no value in saying just now, who began it. Nothing is more disastrous than to apportion blame at the time when there is still tension. At present this should be in the background. I think the Muslim community under the great leaders of the League should be given some intelligence, some sense and sanity; it is sheer madness to suggest that they planned to create troubles on the Direct Action Day in Calcutta—in this city of Calcutta where the Muslim population is very small in comparison with the population of other communities, where the Muslim community is surrounded by thick population of other communities, a city which is populated not by one community, but by various communities, again a city in which other communities are large in number, well provided and organised, with all strategic and economic advantages, with many organisations in social services, education and culture. The Muslims must be insane to begin this Direct Action Day, as suggested, not anywhere in Bengal, but in the city of Calcutta. I at least think that no sane person could work for that. There are so many aspects of that question that it is far better to avoid the issue. Much has been said about the action or inaction of the police or the Government. It is a complaint of a large section of the Muslims that they have suffered much due to that. I am giving you, Sir, one or two such instances not from a Muslim paper, but from a reputed Congress paper of this city. Every Muslim shop from Shambazar to College Street was burnt between 11 a.m. and 2 p.m. on the 16th. Only Muslim shops were burnt. Books of every Muslim book shop were taken out and books were burnt on the street to avoid Hindu shops being burnt. I do not want to say now, how it was done, but this is a fact. What I want to say is that while members of the Legislature have been saying all that they have said with such a tension still existing, they should realise that there is the other side which is also to be considered. I have seen press reports about the occurrences and these reports are matters for investigation. Being a lawyer I do not want to pass any judgment on it. Then there is another report about some incident that happened in Bhowanipore. It is the report of the 17th in the press. Immediately after the procession passed Bhowanipore every Muslim shop in Bhowanipore area was looted; these are also matters for investigation. These are matters which are to be considered.

Then, Sir, with regard to police we should not forget that ordinary police organisations are not organised on an extensive riot basis. Ordinarily it is organised on a peace-time basis. If rioting goes on on a large scale and if the rioters begin rioting on a large scale, there is no police in the world to stop it suddenly——

Mr. HARIDAS MAJUMDAR: There was no police at all——

Mr. PRESIDENT: Order, order.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: These are matters which should be considered. In this connection I would make an appeal to the press as I do feel that the press can create a situation and uncreate a situation. There have been certain circulations of reports and rumours through the press which exasperate the people. False rumours have been given publicity. This should not be done. It is very important that in publishing news, they should be very cautious. I appeal to the press not to bring in matters of a communal character.

How many lorries and cars were burnt in the past after accidents, with no communal colour given. Men were maltreated. But today the slightest incident is given a communal colour. On the street we find two men fighting and we give it a communal colour, saying that Hindus and Muslims are fighting. It may be a Hindu and a Muslim fighting, but that does not necessarily mean that it is of a communal character. Let there be a peaceful atmosphere. For God's sake do not think that the entire Muslim League consists of *goondas*, or that the Muslim League *goondas* came out with daggers, *lathis* and swords in Calcutta during that time. Let us also not forget that taking advantage of these disturbances in Calcutta unruly elements of all communities participated in looting. Unimpeachable evidences are furnished by the Congress press which show that looting was done by unruly elements belonging to all communities. I know of a report to show that a wine shop was looted by persons not belonging to the Muslim community, but by persons belonging to another community. I, therefore, appeal to the press that they should try their level best to create a situation which might bring about peace and amity. Unfortunately, I have seen that even Chief Minister's peace speeches did not escape most adverse comments in the press. If you scan the papers in which speeches of the Chief Minister appeared, you will find what reaction they had. I appeal to the press again to be peaceful. We Hindus and Muslims will have to live in Bengal together. I believe and it is a fact that no minority can be crushed. The Jewish community after 2,000 years of persecution is still a vital community, not to speak of a minority of 45 per cent. Why should you think that the Muslims are trying to crush the Hindus? The Muslims are not such fools as to believe in crushing the Hindus in view of their economic, educational and social conditions. The Muslims will rather improve their own position than try to weaken the position of the Hindus.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. President, Sir, I am sure that the House will bear with me, if I am unable in the very inadequate time at my disposal to deal with all the points raised during the debate. I shall endeavour to be selective and deal with some of the high lights. I consider this very unsatisfactory as this will give ample opportunities to those critics and newspapers, who have done nothing else, but accused me, maligned me, abused me, to attack me further. In the Great Calcutta Killing—a very appropriate definition of the senseless slaughter and butchery—in which even men supposed to be civilised and cultured descended to a level worse than the cruellest beasts has found its reflex in the senseless, merciless, brutal and wholly unjustified attacks on my person, no less savage than *lathis* or knives, and I do not expect that these would-be murderers will so

soon retrace their steps or confess to their mistakes, however irrefutable and true my arguments may be and however false their charges and accusations. I do not blame those newspapers which in their first flash of this overwhelming tragedy put the blame on me as the chief culprit. Generous feelings must have been wounded to the quick at the holocaust that was spreading around us and if some got hysterical and some allowed their imagination to have full vent and some their spite, one can hardly blame them. It does not matter what steps I took or could have taken. It does not matter what the resources of Government were. It does not matter what my powers are or the extent of my responsibilities, the Chief Minister stands out as the main target at which everyone, big or small, can have his fling! These attacks undoubtedly took a political turn as anybody who had eyes could see for himself. I could not meet those attacks at that time, for all my energies were directed towards the restoration of peace and anything which I might have said in reply may have retarded the moves they were making. Thank heavens, they were able almost miraculously to bring about peace in two days' time. I was not wandering, Sir, into a political discussion in dealing with the main points arising out of this tragedy. It will be difficult, I am in a difficult position so far as that is concerned, if I began to give the history of these riots and an indication regarding which was the party that was mostly responsible for it. I shall leave that to the Commission. But it is certain that these riots would never have taken place had not the political situation been what it was. *Hartals* have taken place before. There have been *hartals* during holidays and yet such a situation never arose. There can be no doubt about it as I have said not once or twice but several times in my speeches before the fateful 16th of August, that if there is internecine warfare in the country at large, anybody who has any sense of fairplay and justice will place the main blame on the Cabinet Mission and the manner in which it has played with the feelings of the Muslims and of the Hindus. There can be no doubt about it that it was they who have been responsible for this estrangement between the two nations. There can be no doubt that it is they who brought about such a situation, that feelings of hatred were aroused between the two peoples and found their expression on that day. And then there was the background of lawlessness coming from the fateful decision of August 1945, a background which it was quite clear had led the people to feel that they could continue lawlessness in the city with impunity, and a background which had paralysed the police into inactivity. For this responsibility must be undertaken by those who are responsible for this wave of lawlessness which had swept over Calcutta for the last year, and for the manner in which the police had been baited, which probably appears to be almost the only solution, the only reason for the police inactivity regarding which both Houses have complained. I wonder, Sir, if really Mr. Lalit Chandra Das, Mr. Haridas Majumdar or Mr. Nagendra Nath Mahalanobish believe for a moment that I should have been responsible for these riots—that I who had been working night and day for the welfare of the province should have suddenly entered upon a scheme in order to see the people of Calcutta die in their thousands. I am glad that they have raised certain points which I can meet, certain points which border so much on insanity that when the honourable members were speaking I was wondering whether I was listening to speeches in a Council Chamber or to the outpourings of mad men. To suggest that I could have passed orders to the police not to interfere with the riot or disorder—that anybody can make a suggestion like this absolutely passes all bounds of imagination, and yet they have been deliberately uttered by some spokesmen of their community on the floor of the House. But I am glad that those words have been uttered, because I

believe that those are the kinds of whisperings and talks and statements that are going round the Congress press. Sir, I have been asked as to what steps had been taken on the 16th August by the police and, more, I have been asked by no less a person than the leader of the European group—what did I do to warn the police that things were brewing? As a matter of fact I did warn them, and all my speeches, as he has confessed, show that I had told the police that danger was looming ahead and that they ought to be taking precautions, but even if I did not send out any warning, does the honourable member think that I am in charge of the Criminal Investigation Department or the Intelligence Branch that it is for me to ask the police, to inform the police regarding the conditions in the city or is it for the police themselves to know how things are brewing? It is rather for the police to inform me what the position is. I never knew for a moment that it is the duty of the Minister to inform the police about the position. In Bombay, when the riots broke out, the Hon'ble Minister in charge of Law and Order was staying in Poona and never visited Bombay before the first four days. So it is something so puerile, so childish to place the responsibility of informing the police regarding the condition in Calcutta on the Minister that I think the honourable member does not even appreciate what is the constitutional and moral responsibility of the Minister.

Mr. HARIDAS MAJUMDAR: What about the procession and escort?

The Hon'ble Mr. H. S. SUHRAWARDY: Wait. But let me tell you that the police were fully aware of the danger and I have reports from them as to what steps they took in this behalf. On the 16th August they put into action what is known as emergency scheme, but whether that emergency scheme was satisfactory or not, that is a matter for the police and not for the Minister. You must know one thing which has been well brought out by an honourable member and that is that the police in Calcutta are not mobilised on a basis of such a general conflagration. They may deal with riots here and there, uprisings here and there and disturbances in localised places. But is there any police or armed force, or any army, which can meet anywhere a situation when fighting was going on in every street, every bye-lane and lane? The police came out and mobilised their emergency scheme. I ask you one thing more and I give you credit of some intelligence to follow what I am going to say, and that is—could I, the Minister, have told the police "do this and do that"? Could I order the Police Commissioner or the police to mobilise in a particular manner? When there is a Commander in the field mobilising his force, no Minister can possibly interefere and say that he should mobilise in some other way. If the Commissioner of Police thinks that for the proper utilisation of the force at his disposal, he can do so by lorry patrols, I cannot tell him to utilise the force by means of putting up pickets—I cannot ask him to place the armed pickets in such and such a manner. If I were to tell him that, he is not going to listen to the Minister. Law and order and responsibility for maintaining law and order in Calcutta is that of the Commissioner of Police and no Minister and no higher authority can interefere with him. It is absolutely stupid, puerile and insane to suggest that I could have told the Commissioner of Police, while I was in the Lalbazar Control Room, not to interfere, not to attack and not to fire. One honourable member has asked why curfew was not imposed on the first day. As a matter of fact, curfew was imposed and not only at my instance, but it was enforced, because I forced the issue. Order under section 144 was also issued. Then, Sir, I was asked why the military was not called out. I may say that military was called out, but I do not know whether 2, 3, 5 or 10 battalions were called. I do not even know how much there

are in one battalion. All I can say is that I gave my appreciation, when the military should be called and it was given on that very day, Friday. It was on this very day when the incident took place that I went out on a tour of the city. It is said by an honourable member that my car was seen at various places: true it was found at various places, because I went out with the Chief Whip of the Congress Group of the Lower House and a member of the Communist Party. We went out for the purpose of trying to see whether we could not bring about peace. The Muslims listened to me and they dispersed from the field but when we went to the Hindus in Burra Bazar those two gentlemen got out, but nobody came to listen to them. As far as I am concerned I got brickbats. The front wheel of my car was smashed as also the windscreen and my car was hammered. The police wanted to shoot and I implored them not to shoot and this was the first time that I wanted the police not to do a thing which they wanted to. That is what I did on that day. It is said that my car was moving about from place to place. I again came back to the area and implored both the Hindus and the Muslims to be peaceful and then came to Lal Bazar at 2 o'clock and told the Commissioner of Police that the military had to be called out. But certainly it was not my business to see how many military men came out, where they were placed, how they were placed. These are not matters which a Minister should look into. Certainly it was not the Minister's business to see as to what positions the military should occupy, which way they were going to travel, where the pickets ought to be placed, whether they were going to have mobile petrols. This is a matter which is entirely between the police and the military, but so far as I am concerned I can give the lie to the libel which I found repeated even in Bombay that for two days the military had not been called.

Mr. BIJOY SINGH NAHAR: Will the Hon'ble Minister please tell us at what hour section 144 was promulgated?

The Hon'ble Mr. H. S. SUHRAWARDY: At night. (MR. LALIT CHANDRA DAS: And when it was enforced?) I do not know whether the order was enforced or not. I could not go throughout the whole of Calcutta, and say to the policemen you go and hit that man or kill that man. I could pass orders and of course it was the duty of the police to see that those orders were observed. (MR. BANKIM CHANDRA DATTA: You ought to see that the orders were carried out.) If that is your answer that I had to see whether every policeman was not doing his duty or that it was my duty to be in 3,000 places at once then I am afraid I cannot bring you to reason. What I do say is I give the lie to these statements coming from your mouths that I gave direction to the police to be inactive. I was there undoubtedly in the Control Room. I was there watching the situation and the Commissioner of Police was dealing with the reports that were coming in. He was sending out the parties to the various places and it was for me—I took upon myself to say—again I tell you that the appreciation should have come from my advisers and not from me to them—that the military should be called out. (A VOICE: When?) At 2 o'clock on Friday afternoon. It was at my request that His Excellency came out to appreciate the situation and we then came to Lal Bazar and then with the General made a tour of Calcutta. (MR. LALIT CHANDRA DAS: When you found that the military had not been called even after your request why did you not resign?) I believe there is one thing more you should know and that is the role of the military. The military are not prepared to come out in the beginning. I think Mr. Morgan's information is wrong when he says that the military was placed in position in the other province at the beginning of the riot. At any rate over here the military definitely took up the position that until the police certified that they were unable

to deal with the situation or were overwhelmed they were not coming out. They pointed out that they were not here in order to do the police job for Calcutta and that they would only come out if and when the situation passed out of the control of the civil authorities. That is the position which the military took up and therefore it was not possible for us to put the military at various places.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I move that the question be now put.

Mr. PRESIDENT: Order, Order. The question before the House is that the Motion be now put.

(The question was put and agreed to.)

Mr. PRESIDENT: The question before the House is that this Council do adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the failure of the Government to maintain law and order, peace and tranquillity in the city of Calcutta as from the 16th August last for full four days resulting in riots of unparalleled savagery, casualties mounting to about 5,000 killed and about 10,000 wounded, besides breaking of shops and houses, setting them to fire and looting of properties worth crores of rupees, no proper and timely steps having been taken to prevent them occurring.

The motion was put and a Division was taken with the following result:—

AYES—17.

Mr. Lalit Ch. Das.
Mr. Hemendra Kr. Das.
Mr. Bankim Ch. Datta.
Mr. Kamini Kumar Dutta.
Mr. Satish Ch. Jana.
Rai Bahadur Brojendra Mohan Maitra.
Mr. Haridas Majumdar.
Mr. Nagendra Nath Mahalanobish.
Mr. Bijoy Singh Nahar.
Rai Bahadur Nagendra Nath Ray.
Dr. Kumud Sankar Roy.
Mr. Biren Roy.
Mr. Biswanath Roy.
Mr. Patiram Roy.
Mr. Birendra Kishore Roy Chowdhury.
Mr. Charu Chandra Sanyal.
Mr. Satish Ch. Sen.

NOES—29.

Mr. Abdulla-al Mahmud.
Mr. Nur Ahmed.
Mr. Sultanuddin Ahmed.
Rai Bahadur Dhirendra Lal Barua.
Mr. Reajuddin Bhuiya.
Mr. Moazzamali Chowdhury.
Mr. Hamidul Huq Chowdhury.
Khan Bahadur Abdul Hamid Chowdhury.
Khan Bahadur Abdul Latif Chowdhury.
Mr. Syed Fazle Rabbi Chowdhury.
Mr. Yusuf Ali Chowdhury.
Mr. D. J. Cohen.
The Hon'ble Khan Bahadur Abdul Gofran.
Khan Bahadur A. M. Shahoodul Haque.
Sir Md. Azizul Haque, Khan Bahadur.
The Hon'ble Khan Bahadur Saiyed Moazzamuddin Hosain.
Mr. Latafat Hossain.
Alhaj Yar Ali Khan.
Khan Sahib Mabarak Ali Khan.
Mr. Abdul Latiff.
Mr. Syed Abdul Majid.
Khan Bahadur Ghyasuddin Pathan.
Khan Bahadur Mukhlesur Rahman.
Mr. Abdul Rashid.
Mr. Amulyadhone Roy.
Dr. Kasiruddin Talukdar.
Mr. Md. Taufiq.
Khan Sahib Maulvi Wahiduzzaman.
Haji Md. Yusuf.

Ayes being 17 and Noes 29, the motion was lost.

Official Resolution.

Mr. PRESIDENT: Order, order. Government propose to move a motion under section 103 of the Government of India, Act. Copies of this motion have already been circulated to honourable members.

SEVERAL MEMBERS: No, Sir, we have not received any copy yet.

Mr. PRESIDENT: They were posted yesterday.

Mr. LALIT CHANDRA DAS: We have not even received Order Papers for the last three days.

Mr. PRESIDENT: That is why you have also not received any copy of the Motion.

Mr. LALIT CHANDRA DAS: It would be better to follow the existing system of sending lists of business by messenger peons.

Mr. PRESIDENT: Yes, I think so. So the practice of sending papers through peons should be continued. What about the date of sending amendments to this Motion?

Mr. LALIT CHANDRA DAS: But, Sir, we do not even know what the Motion is about.

Mr. PRESIDENT: All right, we shall take up the matter tomorrow: we must wait till tomorrow. Let the honourable members receive their copies of the Motion. I adjourn the House till 11 a.m. tomorrow.

Adjournment.

The Council then adjourned till 11 a.m. on Wednesday, the 18th September, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 17th September 1946:—

(1) Khan Bahadur Syed Abdur Rashid Chowdhury,

(2) Khan Bahadur Sk. Fazal Ellahi,

(3) Mr. Mangturam Jaipuria,

(4) Alhaj Khan Bahadur Sk. Muhammad Jan,

(5) Mr. Humayun Z. A. Kabir, and

(6) Maulana Muhammad Akrum Khan.

BGP-47/8-14A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 21.

THE COUNCIL met in the Lagislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 18th September, 1946, at 11 a.m., being the 21st day of the First Session of 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Circulation of Order Papers.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I beg to bring to your notice that we are not getting our order papers for the last 3 or 4 days and your order that they should be sent by some messengers is not being carried out.

Obituary.

Mr. PRESIDENT: Arrangements are being made

Order, order. As a mark of respect to the memory of Lt.-Col. Sir Hasan Suhrawardy who used to be the Deputy President of the old Bengal Legislative Council the House stands adjourned till 11 a.m. tomorrow.

Adjournment.

The Council then adjourned till 11 a.m. on Thursday, the 19th September, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 18th September, 1946:—

(1) Mr. L. P. S. Bourne,
(2) Khan Bahadur Syed Abdur Rashid,
(3) Mr. Hamidul Huq Chowdhury,
(4) Khan Bahadur Sk. Fazal Ellahi,
(5) The Hon'ble Khan Bahadur Abdul Gofran,
(6) Mr. Mangturam Jaipuria,
(7) Al-hadj Khan Bahadur Sk. Muhammad Jan,
(8) Mr. Humayun Z. A. Kabir,
(9) Maulana Muhammad Akrum Khan,
(10) Mr. T. B. Nimmo,
(11) Dr. Kumud Sankar Roy,
(12) Mr. F. C. J. Steuart, and
(13) Mr. Md. Taufiq.

BGP-4778-13A-980

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 22.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 19th September, 1946, at 11 a.m., being the twenty-second day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

Obituary Reference.

Mr. PRESIDENT: Hon'ble members, before we take up the business on today's agenda it is my melancholy duty to refer to the demise of Dr. Hasan Suhrawardy which event took place in the Calcutta School of Tropical Medicine on Tuesday last where he had been admitted for treatment. Dr. Hasan Suhrawardy was an elected member of the old Bengal Legislative Council from 1921 to 1925 and was elected as its Deputy President for a term. He had been for a long time a Fellow of the Calcutta University, a Dean of the Faculty of Medicine and was Vice-Chancellor of the University of Calcutta. He led the Indian Delegation at the British Empire University Congress in London in 1931. He was one of the first Members of the Bengal Public Service Commission constituted after the introduction of the Government of India Act, 1935, which appointment he resigned for taking up his duties as Adviser to the Secretary of State for India in Londan. He held this office up to 1944. On his return to India he took up politics in right earnest and was elected to the Central Legislative Assembly at the last General Election from Presidency cum Burdwan Division Muhammadan Rural Constituency. A man of charming character with many social virtues and of considerable ability, Dr. Suhrawardy used to be held in high respect by the Hindus, Muslims and Europeans alike all over India. Amongst them he had many friends and admirers. His death has removed from this Province one of those personalities whose services are badly needed to-day for re-establishing communal harmony between the Hindus and Muslims throughout India. I personally have lost in his death a sincere friend and a well-wisher for whom I had great admiration, love and respect. I would request you, gentlemen, to rise in your seats.

(The members having stood in their places.)

Thank you. With your consent I would convey the condolence of the House to the members of the bereaved family.

(SEVERAL MEMBERS: Yes, Sir.)

QUESTIONS AND ANSWERS

High prices of fish and milk in Chittagong.

104. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state if it is a fact that the prices of fish and milk in Chittagong are very high?

(*b*) Is it a fact that fish is not available in sufficient quantities in Chittagong?

(*c*) If so, do the Government propose to take adequate steps to bring down the prices of fish and milk to a reasonable level?

(*d*) If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, may I answer the question on behalf of the Hon'ble Mr. Ahmed Hossain who happens to be absent from the House at the moment?

Mr. PRESIDENT: Yes.

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister-in-charge of the Department of Agriculture, Forests and Fisheries): (*a*) and (*b*) Yes.

(*c*) Government have started some local schemes to augment the supply of fish. A survey has also been undertaken with a view to increasing the fish and milk supply in Chittagong.

(*d*) Does not arise.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to give a brief description of the local schemes that have been put into operation in Chittagong?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, at present a survey is being made; the scheme has not been launched into operation. The nature of the scheme will depend on the result of the survey.

Mr. NAGENDRA NATH MAHALANOBISH: Is the Hon'ble Minister aware that the price of fish has gone up abnormally throughout Bengal, not alone in Chittagong?

The Hon'ble Khan Bahadur MOHAMMED ALI: The answer is in the affirmative.

Mr. NAGENDRA NATH MAHALANOBISH: And, if so, is there actually any scheme by which the Government propose immediately to bring down the price of fish all over the Province?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, the price of all essential commodities has gone up, and along with that of course the price of fish, and Government are going to put into operation several schemes as one of the results of which the supply of fish may increase and with the increase in the supply of fish the price of fish is expected to come down.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Arising out of the answer, is the Hon'ble Minister aware of the fact that so far as the food articles are concerned including fish their prices have risen to over 400 per cent. of the pre-war level throughout the country and as such it is hard for the middle classes and the poorer people to purchase their requirements at those high prices and have the Government any scheme or taken any concerted action to bring down the prices of all food articles including fish?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, I am not aware whether the price of fish has gone up to 300 to 400 per cent., but I know that the cost of living index is now about 260 taking the basic period as the 1st of September, 1939. Sir, Government are really anxious to bring down the prices of all essential commodities. There is some amount of inflation also which is responsible for the high prices and the effort made in this direction is the National Savings Scheme as a counter-inflationary measure, and other schemes are under the examination of the Government.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: I am afraid the answer given by the Hon'ble Minister does not correctly answer my question. The index figure of 260 is probably the figure arrived at after taking into consideration a number of articles in addition which are not food items at all. My question was only with reference to the food articles, namely whether the Government will be prepared to find out actually what is the increase in the price of food articles in Calcutta and elsewhere and if the

increase is so much as we find it today, apart from the question of inflation which is general throughout India and the steps taken to combat it, what other specific steps are being taken by the Government to bring down the prices of all food articles?

The Hon'ble Khan Bahadur MOHAMMED ALI: The contention of the honourable member is correct, namely, that the figure that I collected as 260 includes not only the price of foodstuffs but also some other essential commodities. So far as the actual rise in the prices of food grains and food articles is concerned, I am not aware of the exact figure, but it is necessary that the prices of essential commodities including food should be brought down. I am not also aware of what actual steps are being taken by the Government. I am certainly alive to the necessity of bringing down the prices apart from the question of taking anti-inflationary or deflationary measures.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Will the Hon'ble Minister please consider the desirability of convening a conference of the leaders of parties both of the Assembly and this House with a view to discussing the matter so that some tangible proposal may be made regarding them?

The Hon'ble Khan Bahadur MOHAMMED ALI: The suggestion is very helpful and will receive very careful consideration from Government.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister please say whether Government is only scheming or doing anything?

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, Government never scheme; that is rather the monopoly of the Opposition.

Mr. HARIDAS MAJUMDAR: Sir, as the Rai Bahadur is not present, may I put question No. 105 on his behalf?

Mr. PRESIDENT: Yes.

Enforcement Division of the Civil Supplies Department.

105. Mr. HARIDAS MAJUMDAR (on behalf of Rai Bahadur Jogendra Nath Ray): (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state if the Enforcement Division of the Civil Supplies Department is going to be abolished and merged with the Police Enforcement?

(*b*) If the answer be in the affirmative, are all the employees of the Enforcement Division of Civil Supplies Department going to be discharged?

(*c*) Will cases of persons who will be discharged be considered?

(*d*) What is the proposed scheme giving details as to the persons who will be merged with the Enforcement Police, their posts, pay and all other matters connected therewith?

(*e*) Is the change contemplated in Calcutta only or all over Bengal?

(*f*) Is it a fact that there is a question of utilising the Civil Supplies Enforcement Division for the proposed Anti-Corruption Drive to be launched by the Government? If so, what is the position now?

MINISTER-in-charge of the Department of Civil Supplies (the Hon'ble Khan Bahadur Abdul Gofran): (*a*) The proposal is under consideration. No decision in this sense has yet been taken.

(*b*) to (*e*) Do not arise.

(*f*) The Enforcement Division is continuously engaged in combating all forms of corrupt practice relating to the administration of Civil Supplies.

Mr. NAGENDRA NATH MOHALANOBISH: Is the honourable Minister aware that this Enforcement Branch has practically nothing to do in the mofussil save and except to put forward vexatious cases for the purpose of statistics?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I am not aware, Sir.

Deaths due to malaria, cholera, etc.

106. Mr. NUR AHMED : Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) what is the total number of deaths, district by district, in Bengal, during the years 1930, 1937, 1939, 1940, 1941, 1942, 1943 and 1944 respectively from (*i*) malaria, (*ii*) cholera, (*iii*) smallpox, (*iv*) other fevers, and (*v*) other causes ;

(*b*) what is the percentage of increase or decrease in death rates in those years under above heads ; and

(*c*) what special measures have been adopted by the Government to prevent and check mortalities from malaria, cholera, kala-azar and smallpox ?

MINISTER-in-charge of the Department of HEALTH and LOCAL SELF-GOVERNMENT (the Hon'ble Khan Bahadur Mohammed Ali): (*a*) and (*b*) A statement is laid in the Library.

(*c*) A statement is laid in the Library.

Mr. NUR AHMED: May I request the Hon'ble Minister to modify his answer that a statement is laid in the Library because if a statement is laid in the Library, it does not form part of the answer? May I, therefore, appeal to him to omit the word "Library" so that such a statement may appear along with the answer. I find that figures have been collected and these figures will be very helpful for future reference by the honourable members or by the outside public. So I appeal to the Hon'ble Minister to modify his answer agreeing to publish the Statement along with the answer and omitting the word "Library".

The Hon'ble Khan Bahadur MOHAMMED ALI: The usual practice is that when a statement is short and can be printed and incorporated in the answer, then it is laid on the Table which means that it is printed in the answer paper, but when a statement is a very big one and could not be accommodated in the question and answer paper, then it is laid in the Library for reference by honourable members.

Mr. PRESIDENT: I think that has been the usual practice.

Mr. NAGENDRA NATH MOHALANOBISH: But, Sir, could not this be printed in the proceedings?

Mr. PRESIDENT: What has been stated by the Hon'ble Minister has been the invariable practice.

Mr. NAGENDRA NATH MOHALANOBISH: So far as I understand the rules, Sir, if the answer includes any statement published by Government then that is to be placed on the Table, but if that is not a published report or other documents, then it should be placed in the House.

The Hon'ble Khan Bahadur MOHAMMED ALI: (showing the statement): The honourable members may please see how big the statement is. It is not possible to print it in the answer paper; so the easiest course was to lay it in the Library.

Mr. BIREN ROY: But, Sir, could it not be printed along with the answer so that for purposes of reference we can again find it?

The Hon'ble Khan Bahadur MOHAMMED ALI: Well, that is a matter which rests entirely with the Hon'ble the President.

Mr. PRESIDENT: It is not always possible to incorporate such big statements in an answer.

Mr. NAGENDRA NATH MOHALANOBISH: I want to make a distinction between the reports published by the Government before a question is answered and the reports which are compiled after a question is put; those things should come before the House and not simply be laid in the Library. That is the rule, and I think that if you will please refer to the rule you will find that.

Mr. PRESIDENT: I may read out from the Standing Orders "All papers placed in the Library of the Bengal Legislature shall not form part of the proceedings of the Council though they may be referred to in reply to a question answered on any particular day."

Mr. NAGENDRA NATH MOHALANOBISH: With regard to that we have no objection.

Mr. PRESIDENT: That is in reply to Mr. Roy.

Mr. NAGENDRA NATH MOHALANOBISH: I was going to submit, Sir, that there is distinction in the rules between the reports published by the Government and those sought to be incorporated as part of the answer. In that case they are correctly and rightly placed in the Library. If a statement compiled in reply to a particular question is long, even then it should be placed in this House, if not as part of the answer incorporated in the answer paper, but it must be in this House: that is, I believe, the rule.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: I think, Sir, this procedure is followed, because I have seen it in the Chamber,

Mr. PRESIDENT: Yes, what Mr. Azizul Haque has said is correct. In fact the statement is here in the Chamber.

Public Prosecutor of Faridpur.

107. Mr. HARIDAS MAJUMDAR: (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to state if Maulvi Abdus Salam Khan, M.A., B.L., Secretary, Faridpur District Muslim League, has recently been appointed Public Prosecutor in place of Babu Nagendranath Das Gupta?

(*b*) Is it a fact that there are many police reports against the said Mr. Khan for jury *tadbir* and other offences ?

(*c*) Is it a fact that his house was some time ago searched in connection with the abduction of a Hindu girl ?

(*d*) Is it a fact that the said abducted girl in her statement alleged that she was kept concealed in the house of Maulvi Abdus Salam Khan ?

(*e*) Is it a fact that both the Superintendent of Police and the District Judge objected to his appointment as the Public Prosecutor ?

(*f*) Is it a fact that Babu Nagendranath Das Gupta, the former Public Prosecutore, worked in that capacity for about eight years ?

(*g*) Is it a fact that the said Mr. Das Gupta was Assistant Government Pleader for about fifteen years before he became the Public Prosecutor ?

(*h*) Will the Hon'ble Minister please state the reasons for the special preference for Maulvi Abdus Salam Khan ?

MINISTER-in-charge of the JUDICIAL DEPARTMENT (the Hon'ble Mr. Jogendra Nath Mandal): (*a*) Yes, towards the end of January, 1945.

(*b*) There is no such information.

(*c*) His house was searched in connection with the Rajbari Police case No. 1, dated the 6th January, 1942, under section 363, Indian Penal Code.

(*d*) According to the Investigating Officer's report the girl was recovered from the house of a Brahmin pleader of Faridpur. In her report before the Police the girl stated that she used to visit the house of Maulvi Abdus Salam Khan off and on but this fact was omitted from her statement before the District Magistrate.

(*e*) The Superintendent of Police was not of the same view as the District Judge about him and did not report anything against him in connection with his appointment as Public Prosecutor.

(*f*) Babu Nagendranath Das Gupta, the former Public Prosecutor of Faridpur, worked in that capacity for 6 years, 9 months and odd days.

(*g*) Babu Nagendranath Das Gupta was a Panel Pleader from 1923 till he became Public Prosecutor of Faridpur.

(*h*) Maulvi Abdus Salam Khan was appointed Public Prosecutor on the recommendation of the District Magistrate.

Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister be pleased to state why the District Magistrate recommended him as a Public Prosecutor?

The Hon'ble Mr. JOGENDRA NATH MANDAL: The District Magistrate of Faridpur knew well the reason why he was recommended for the Public Prosecutorship.

Mr. HARIDAS MAJUMDAR: Was no reason given?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Yes, he was appointed on the recommendation of the District Magistrate, but the reasons of the recommendation are not known to the Government.

Mr. HARIDAS MAJUMDAR: What is the name of the District Magistrate of Faridpur of that time?

The Hon'ble Mr. JOGENDRA NATH MANDAL: I cannot say offhand. Sir, in this connection I beg to draw your attention that I do not know whether this question was sent from your Department to my Department at all. When I asked for the question and answer with the file it was not put up before me.

Mr. PRESIDENT: But the answer has been received from your Department. I admitted this question, I remember.

The Hon'ble Mr. JOGENDRA NATH MANDAL: When I asked my Department they said that they had not received this question.

Mr. BIJOY SINGH NAHAR: Sir, in that case do we take it that this question may be held over?

Mr. PRESIDENT: Let us pass on to the other questions for the time being. There are some questions which have been held over from the 13th instant. Question No. 61 stands in the name of Mr. Haridas Majumdar.

Arrests in Gopalpur.

61. Mr. HARIDAS MAJUMDAR: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) if he is aware that a large number of Moslems including many village *morols* (i.e., headmen) have been taken under arrest on suspicion in the village of Gopalpur, police-station Rajarhat, for the alleged murder of two soldiers who, as alleged, had raped some Moslem women;

(*b*) if he is aware that the village has been cut off from the outside world with the result that no news of such happenings is appearing in the Press; and

(*c*) if the Government propose to take adequate steps so that these poor, illiterate Moslems are not harassed and they are represented by good lawyers at the cost of the Government.

MINISTER-in-charge of the HOME DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Seventeen villagers were arrested in connection with the murder of two Gurkha soldiers. The allegation of rape is not true.

(*b*) No.

(*c*) No action is necessary as the accused have all been discharged.

Weavers in Bengal.

102. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state what is the total number of weavers in Bengal up till December, 1945, and how many handloom factories are operating in Bengal?

(*b*) What particular facilities were offered by the Government to the weavers' cottage industries to produce more cloth in 1944 and 1945 and to meet the scarcity of cloth in Bengal?

(*c*) Is it a fact that many weavers went out of work for want of yarn in 1944 and in 1945?

(*d*) Is it a fact that the Government of Bengal before Section 93 Government came into being intended to start two spinning mills to meet the demands of weavers to supply more yarn and plans were complete to start them?

(*e*) If the answer is in the affirmative, will the Government be pleased to carry out the plan immediately with a view to supplying more yarn to the weavers of Bengal and to give impetus to the cottage industry of weaving?

(*f*) If the plan of starting the mills is no longer in existence, who cancelled it and why?

(*g*) Do the Government propose to consider the desirability of restoring the plan to start the mills to help the weavers to produce work and more cloth to mitigate the scarcity of cloth in Bengal?

MINISTER-in-charge of the DEPARTMENT of COMMERCE, LABOUR and INDUSTRIES (the Hon'ble Mr. Shamsuddin Ahmed): (*a*) No authentic figures are available but on the basis of the report of the Fact Finding Committee appointed by the Central Government in 1942, the number of looms operating in Bengal about that time was 126,211 and that of handloom weavers 200,625. In March, 1946, the number of handlooms in respect of which licences had been taken out was reported to be 389,011. The number of weavers, however, is not known nor is the number of handloom factories as such.

(*b*) The facilities offered by Government to weavers' cottage industries to produce more cloth have always been restricted by the supplies of yarn available. Since the introduction of the All-India Yarn Distribution Scheme, however, Government have been endeavouring to make available to the weavers the largest possible amount of yarn and distribution has been made throughout the Province in proportion to the number of weavers in each area. Moreover, in pursuance of the scheme for the rehabilitation of destitute artisans, of whom the weavers formed the largest group, the latter were supplied with cotton, yarn, handlooms, handloom accessories, chemicals and dye-stuff at cost price and in some cases at subsidised rates and also free of cost.

(*c*) With due regard to the number of licensed handlooms in operation in the Province, it is considered unlikely that many weavers went out of work in 1944 and 1945. The effect of reduced yarn supplies has been rather a reduction in the number of full working days per month.

(*d*) to (*f*) A scheme for the establishment of a spinning mill in Bengal and not two was sponsored departmentally so far back as 1940 with the object of supplying yarn to the handloom weavers of the Province but owing to difficulties arising *inter alia* from non-availability of plants and accessories required for the mill it was not proceeded with further on the expert advice of the Bengal Industrial Survey Committee.

(*g*) The matter is receiving consideration but I may state, for the information of the honourable member, that the question of the expansion of the cotton textile industry including handloom on an all-India basis has recently been examined very exhaustively by the Post-War Textile Planning Committee set up by the Central Government and that the quota of spindles allocated to this Province towards the establishment of new mills and the expansion of the existing ones in pursuance of the recommendations of the Committee includes provision for the handloom industry as well. Distribution of spindles among the eligible parties has been made, keeping in view the requirements of handlooms, within the quota available.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether any attempt was made by the Government to get plants and accessories for the purpose of starting a yarn mill?

The Hon'ble Mr. SHAMSUDDIN AHMED: Well, it has already been stated in the answer that it is very difficult to get machinery at the present moment and even if the orders be placed at the present moment, even then supplies will take 2½ years, not to speak of accessories now.

Mr. LALIT CHANDRA DAS: Did you place any order? Instead of lecturing you better give a plain answer. Did you place any order anywhere for the purpose of securing plants and accessories for starting a spinning mill. That is a very simple question.

The Hon'ble Mr. SHAMSUDDIN AHMED: You have seen that not two but one spinning mill was being considered and Government have not placed any orders. This is under consideration of the Government.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please consider the desirability of placing an order immediately for the purpose of getting plants and accessories for starting one spinning mill at least in Bengal?

The Hon'ble Mr. SHAMSUDDIN AHMED: Already the quota that was available to Bengal has been distributed and we are trying to get the target figure for Bengal raised and if we get more spindles certainly the Government of Bengal would launch that scheme. At the present moment it is not possible for the Government of Bengal in spite of its utmost efforts to start a spinning mill in Bengal. I can assure the honourable member that Government will do its best for starting a spinning mill.

Mr. BIREN ROY: Will the Hon'ble Minister be pleased to state in general what was the expert advice of the Bengal Industrial Survey Committee? Did the experts say that spinning mills are not necessary in Bengal?

The Hon'ble Mr. SHAMSUDDIN AHMED: They pointed out the difficulty of starting a spinning mill by the Government of Bengal.

Mr. BIREN ROY: In answer to (*d*) to (*f*) it is stated, "* * *but owing to difficulties arising inter alia from non-availability of plants and accessories required for the mill it was not proceeded with further on the

expert advice of the Bengal Industrial Survey Committee". What was their advice? Was it their advice that the machinery was not available? If so, what is the meaning of the expression "further on the expert advice of the Bengal Industrial Survey Committee."

The Hon'ble Mr. SHAMSUDDIN AHMED: The Survey Committee explored all the possibilities of starting a mill in this Province and if the honourable member wants to know details I will place the details at some other time.

Mr. BIREN ROY: Then, Sir, this question may be postponed because that involves a matter of policy—what was this Bengal Industrial Survey Committee, what did they do, etc.?

Mr. PRESIDENT: Not postponed. If you want to put further questions you can put them.

Mr. BIREN ROY: Was the Bengal Industrial Survey Committee brought into being as an expert adviser just to state that the machineries are not available?

The Hon'ble Mr. SHAMSUDDIN AHMED: I want notice.

Mr. LALIT CHANDRA DAS: Is the Hon'ble Minister aware that very recently the Chief Minister of Bengal, Mr. Suhrawardy, expressed the opinion that there should be a number of spinning mills for the purpose of supplying yarn to the weavers?

The Hon'ble Mr. SHAMSUDDIN AHMED: Yes, and I have also already explained to you that there are proposals for starting a new textile mill as well as giving additional spindles to the old textile mills, but the difficulty is you cannot get the spindles today either from Great Britain or anywhere. These are the difficulties.

Mr. LALIT CHANDRA DAS: The complaint is that you are not doing your duty by the weavers. Will, therefore, Government be pleased to say why no census has yet been taken of the number of weavers as well as the number of handlooms operating in Bengal?

The Hon'ble Mr. SHAMSUDDIN AHMED: Is there any reference to that in the question?

Mr. LALIT CHANDRA DAS: Please look to your answer (*a*), last line, namely, "the number of weavers, however, is not known nor is the number of handloom factories as such". This is your answer. Will the Hon'ble Minister therefore please say why no census has yet been taken by the Government for the purpose of ascertaining the true number of weavers as well as the number of handloom factories operating in Bengal?

The Hon'ble Mr. SHAMSUDDIN AHMED: Sir, if in addition to whatever answer has been given in answer (*a*), further information is required, it will be available.

Mr. ABDULLAH-AL-MAHMOOD: Will the Hon'ble Minister please state whether the distribution of yarn to the weavers has got any bearing on the distribution of cloth to the districts as well as to the subdivisions?

The Hon'ble Mr. SHAMSUDDIN AHMED: Distribution of yarn on the distribution of cloth?

Mr. ABDULLAH-AL-MAHMOOD: Yes. I did not put in the question in the first instance because I did not know if it concerned his department.

The Hon'ble Mr. SHAMSUDDIN AHMED: If you can supply yarn in larger quantities, then you will get larger supplies of cloth, that's all.

Mr. ABDULLAH-AL-MAHMOOD: Sir, my question has not been replied to. My question is whether distribution of yarn to the weavers in districts and subdivisions has got any bearing on the distribution of cloth to the districts and subdivisions in an inverse ratio?

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Sir, may I make the question clear to the Hon'ble Minister?

Mr. ABDULLAH-AL-MAHMOOD: Sir, my question is sufficiently clear.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Sir, the question of Mr. Abdullah-al-Mahmood is simply whether the quantity of handloom production is taken into consideration in distributing the yarn.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, may I reply to this point on behalf of my colleague particularly in view of the fact that a reference has been made to a recent speech of mine? Apparently Mr. Mahmood wants to know whether the supply of cloth has any bearing on the distribution of yarn; that is a different matter altogether. Yarn will be distributed to various areas in accordance with the number of weavers and the number of handlooms reported. It is only after that that the question of supply of cloth to that area comes and when the cloth supply is high the amount of the yarn distributed to the area is taken into consideration and is accordingly decreased to the extent that yarn has been supplied.

As regards the establishment of spinning mills in Bengal, the question has not yet been decided as to whether the spinning mills should be established by the Government or by private agencies. But I am firmly of the opinion that we should produce yarn here on a very large scale in order that we may be able to feed our weavers rather than put up more weaving mills which will produce mill-made cloths. Now, in order to get a proper quota of spindles to weave more yarn it is necessary that the Government of India should allot to us a sufficient number of spindles. That is a quarrel which we have been having between ourselves and the Government of India, which has surrendered all its powers to a Textile Board in Bombay in which Bengal is barely represented, and I think our hands will be considerably strengthened if it is known that all sections of the House support the Government of Bengal in its efforts to increase the supply of spindles in Bengal.

Telephone system in Calcutta.

103. Mr. B. K. ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state—

(*a*) if the Government of Bengal are aware of the fact that the public of Calcutta has been greatly inconvenienced by the present working of the telephone system in Calcutta in the matter of response to calls, wrong connections, etc.; and

(*b*) if, in view of this fact, the Government propose to take up the matter with the Government of India for the removal of grievances of the Calcutta public?

The Hon'ble Mr. SHAMSUDDIN AHMED: (*a*) Yes.

(*b*) The primary causes of poor service are excessive load, worn out apparatus and inexperienced operators. The Posts and Telegraphs Department has been taking steps to provide additional exchange equipment with more operators' positions with reduced loading and more experienced operators. It has been ascertained that the Government of India has made special

representations for early delivery of materials on order and the manufacturers have promised earliest possible delivery. It is understood that the Indian Posts and Telegraphs Department are preparing a memorandum explaining difficulties and measures adopted to overcome them. This is proposed to be circulated in due course. The Government of Bengal propose to forward the questions in the Assembly on this subject to the Government of India for such further remedial action as may be possible.

Mr. NAGENDRA NATH MOHALANOBISH: Is the Hon'ble Minister aware that to have telephone connection one has to pay a *salami* of Rs. 1,000 to the officer-in-charge?

The Hon'ble Mr. SHAMSUDDIN AHMED: I am not aware of it.

Mr. NAGENDRA NATH MOHALANOBISH: Will the Hon'ble Minister be pleased to enquire if it is a fact?

Mr. PRESIDENT: What is your question?

Mr. NAGENDRA NATH MOHALANOBISH: Whether the Hon'ble Minister is aware that now a days one has to pay a *salami* of Rs. 1,000 for having a telephone connection.

The Hon'ble Mr. H. S. SUHRAWARDY: It is much easier to get a telephone connection now a days.

Mr. PRESIDENT: I hope the honourable member will not make a vague allegation. When you put a question you must be specific. Before a question is admitted, the Chair's duty is to find out that the honourable member takes responsibility for what he says.

Mr. NAGENDRA NATH MOHALANOBISH: Certainly, Sir, I have made that statement with full knowledge and I take the responsibility.

The Hon'ble Mr. SHAMSUDDIN AHMED: I cannot say that.

Mr. PRESIDENT: As regards the Hon'ble Mr. Mandal's reply to question No. 107, I find that the question was admitted on the 23rd March, 1945, and here I hold in my hand the approved reply by the Hon'ble Minister. So it is not a fact that the question was not sent to his Department or he had no knowledge of it

The Hon'ble Mr. JOGENDRA NATH MANDAL: The answer was approved by the Minister concerned. But the printed answer and question was not sent and so it was not submitted with the file and placed before the Minister and I wanted to know whether it was sent by your Department to my Department.

Mr. PRESIDENT: Will you kindly make enquiries in your Department.

The Hon'ble Mr. JOGENDRA NATH MANDAL: Yes, Sir. But the file was not put up in spite of asking for it——.

Mr. PRESIDENT: But it was actually sent two days before. However if Mr. Majumdar wants to put any supplementary question he may do it tomorrow. Questions over.

GOVERNMENT BILL.

The Calcutta Disturbances Commission of Enquiry Bill, 1946.

Mr. PRESIDENT: We shall now take up the Calcutta Disturbances Commission of Enquiry Bill, 1946. The Hon'ble Minister.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I move this bill for consideration of this House. This bill has been drafted——.

Mr. C. MORGAN: Mr. President, Sir, may I draw your attention to the fact, before the Chief Minister makes his statement, that we only received just now the 24 amendments at about 11 o'clock and so how can we study all the amendments. We have not had time to consider them.

Mr. PRESIDENT: Mr. Morgan, these amendments were sent to you by post on Saturday and only the consolidated list was placed on your table today. The list is the same as sent through post.

Mr. LALIT CHANDRA DAS: Sir, the point is whether members got them all right. We have been complaining about the non-receipt of these papers regularly. We have been urging upon you to distribute these papers through cycle peons.

Mr. PRESIDENT: It has been so arranged now. Government has been good enough to sanction three peons for this purpose and that arrangement will continue.

Mr. C. MORGAN: Sir, you told us that these amendments were sent through the post office. Now, Sir, we received only the first seven amendments before and the rest we got this morning.

The Hon'ble Mr. H. S. SUHRAWARDY: Most of the amendments were sent earlier and if the hon'ble members had placed them side by side with the bill they would have been at the present moment *au fait* with them. I do not know whether these amendments will be moved or not or whether they are of sufficient importance. I think, Sir, in respect of the new amendments the honourable members might wait without raising any objection now.

Mr. MORGAN: Mr. President, Sir, I am only drawing attention to a matter of principle. When the bill has been brought before the House let it go on. I am not raising any objection to its consideration and it may also be that most of these amendments may not be moved at all, or may be got rid of very quickly. What I object to is that the bill is put before the members of the House and also many amendments are placed on the table a few minutes before the bill is being taken up for discussion and passing, there being hardly any time for the members to consider so many amendments and their effect on the clauses of the bill. I am only objecting to that. I am not objecting to the Chief Minister moving that the bill be taken into consideration.

Mr. PRESIDENT: Well, let us now proceed with the bill.

The Hon'ble Mr. H. S. SUHRAWARDY: And so far as placing the amendments on the floor of the House is concerned the usual thing has been that if any particular bill is really embarrassing because an important amendment is placed before the House which requires more time for deep consideration Government always takes that fact into consideration and gives time if it is at its disposal.

Now, I move this bill for the consideration of this House. This Bill has been drafted on the lines of the recent Government of India Ordinance—The Royal Indian Navy Commission Enquiry Ordinance, 1946, as subsequently amended.

I have considered it necessary to set up a Commission of Enquiry into the origin and course of the recent disturbances in Calcutta. We are deeply grateful to Sir Patrick Spens, the Chief Justice of India, for having responded to our request to accept this very difficult charge. He was also requested to select two colleagues for himself from amongst the Judges of India and he has selected the Hon'ble Sir Fazl Ali, Chief Justice of Patna, and the Hon'ble Mr. Justice Somayya from Madras. How the enquiry will be conducted, in what manner the evidence will be placed and sifted,

in fact all the details have been left entirely in the hands of Sir Patrick Spens. It is he who has chosen his Secretariat and has indicated to the public how the public can assist him in arriving at the true state of affairs. It is necessary to invest this Commission with those powers that are exercised by the highest Judicial Tribunals, and this bill is the result, and is placed before this House with the consent, knowledge and concurrence of the Chief Justice himself.

In this connection I would like to say one word in answer to the criticism which I find in the papers and the suspicion voiced by some leaders of the Hindu community regarding the submission of statements and complaints to the Commission through its Secretary, Mr. Saddler. I have seen the communiqué that has been issued only yesterday by the Chief Justice himself which, I hope, will clear the air. Somebody has clearly got to be appointed as Secretary and it is well if the Secretary is a European of such a position that no charge of bias can be legitimately raised regarding him and who is of proved integrity and ability. Mr. Saddler was selected by the Chief Justice himself with the concurrence of His Excellency the Governor at a time when I was in Bombay. Mr. Saddler's office is at present, or was till recently, I was told, in Writers' Buildings, but it has been proposed all along to remove it to another place, "Belvedere," as soon as the place was suitable for occupation. I believe this has been done, or will be done very shortly. The papers that will be presented to Mr. Saddler will be entirely confidential and will be the papers of the Commission itself. No one, not even myself, will have access to its papers, no one other than the officers of the Commission, and I need hardly assure this House and the public outside that the business of the Commission will be conducted in the most impartial manner and without the slightest interference from any one, that the officers of the Commission are and will be absolutely independent of the Provincial Government, that all the papers, documents, evidence, statements will be a matter entirely for the Commission and will not be placed before any officer of the Provincial Government unless the Commission so desire in the course of its work. This Government have no concern with them. All the papers and documents and proceedings will be in the custody and control of the Commission and their disposal will be dependent on the order of the Chief Justice of India. In response to requests received from various quarters I have considered it proper to enlarge the territorial jurisdiction of the Enquiry Committee and for that purpose I propose with your leave, Sir, to move an amendment substituting the word "neighbourhood" for the word "suburbs" in the Preamble, and in clause 2 to add in respect of the notification of the 11th September, 1946, the words "as amended from time to time". I propose to amend the notification so as to include the police-stations of Matiabruze and Tollygunge in the district of 24-Parganas and to include the municipality of Howrah. These amendments will give liberty to the Commission to examine the incidents within the police-stations of Matiabruze and Tollygunge and the municipality of Howrah as well as those round about Calcutta, for instance, over Howrah Bridge, Ballygunge Station and beyond, Behala, Majerhat, Tiljala, the railway stations of Bally, Belur and such contiguous places. Sir, I commend my motion to the House and hope that they will pass it without any amendments so that we can get along with the work as soon as possible.

Mr. PRESIDENT: Order, order: Motion moved that the Calcutta Disturbances Commission of Enquiry Bill be taken into consideration.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I was just listening to the Chief Minister's speech while he was moving for the consideration of his bill. He said—if I understood him aright—that he was going to have some amendment in the resolution appointing the Commission and in the

preamble of the bill. So that at the present moment we do not exactly know what the bill is, and what is the exact resolution on which the bill is based; therefore, is it at all in order to take this bill into consideration at this stage?

Mr. PRESIDENT: I think so, because Government can certainly move an amendment to their own motion.

Mr. NAGENDRA NATH MOHALANOBISH: Also with regard to a bill that is now being placed before the House for consideration?

Mr. PRESIDENT: Government can always move an amendment for enlarging the scope of a bill introduced by them. I do not think there is anything to prevent them doing so.

Mr. NAGENDRA NATH MOHALANOBISH: But in that case should not members of the House know beforehand what is the bill that has come before it?

Mr. PRESIDENT: The amendment does not change the character of the bill but it enlarges the jurisdiction of the bill.

In fact I was just going to ask the Hon'ble the Chief Minister to kindly hand over to me his amendment in a concrete form beforehand, so that I might examine it.

Mr. LALIT CHANDRA DAS: But we too would like to examine it.

The Hon'ble Mr. H. S. SUHRAWARDY: It is for this reason that at this stage I was trying to inform the House of some amendments that we proposed to move so that the House might be fully apprised of them, with a view that towards the end they would be moved, and so that the House would get an opportunity of ruminating on those amendments.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I beg to move that the Calcutta Disturbances Commission of Enquiry Bill, 1946, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1946.

Sir, at the outset I want to assure honourable members that I am not willing——

Mr. KAMINI KUMAR DUTTA: As leader of the Party, I do not allow you to move the amendment.

Mr. NAGENDRA NATH MOHALANOBISH: But I have already moved it.

The Hon'ble Mr. H. S. SUHRAWARDY: Am I to understand that the honourable member wants the enquiry to be postponed?

Mr. NAGENDRA NATH MOHALANOBISH: Kindly give me time to explain myself.

At the outset I want to make it perfectly clear that it is not my intention to stifle an enquiry. It is not my intention either that there should not be any Commission to enquire into the incidents that happened in Calcutta. I do not yield to anybody in this House in my desire to have an enquiry without delay. But what I want to say is this: that this Commission that has been appointed by the Government of Bengal should have been appointed by a higher authority and that is the point which I want to place before the House. Now, I can at once say that there was a Commission that was appointed in 1944 to enquire into the incident of famine in 1943 and that was appointed by the Government of India and that the Government of Bengal was involved——

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: On a point of order, Sir. May I point out that that Commission was appointed not only for Bengal but also for other provinces. In this case there is constitutional difficulty and it is extremely doubtful if the Government of India have any authority to appoint a commission here.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I beg to differ from the honourable member who wants to say that the Government of India has no authority to appoint a Commission of Enquiry to enquire into this matter. If the law and order in a particular province is not preserved by the provincial authorities and if the provincial authorities are themselves accused for their acts of omission and commission, then it is only the Central Government who can appoint such a Commission——(MR. HAMIDUL HUQ CHOWDHURY: Yes, Mr Jawaharlal Nehru). You may taunt Jawaharlal Nehru as much as you like, but there he is—that is a fact. Now, my point is that since that tragedy there were serious allegations made against the Hon'ble Chief Minister in charge of Law and Order and practically all those who are concerned with the administration of law and order in this Province, and from that time onward till the 12th of September no statement was made by anybody in charge of the portfolio of law and order as regards the part that the Government played, and the Minister played in this affair. The only thing that we heard on the air from Mr. Suhrawardy was that he was not going to apportion blame between different parties, he had got nothing to say about the charges levelled against him and his Government. He said that that was not the time to apportion blame and that he was too busy then and reserved this matter till a later date. Then the sitting of the Legislature was adjourned till 21st August. On the 12th September we were told that a Resolution was passed by the Government of Bengal for the appointment of a Commission which is the basis of this bill. Now, Sir, I consider this would have been simply impossible in any other civilised country where any civilised government functions. The Legislature was meeting and was going to have its meeting next day and without making any statement on behalf of the Government, without consulting the Legislature, without consulting public opinion, the Government which was so seriously accused of various acts of omission and commission was going to appoint a Commission and has appointed it. I submit this is not only improper and impudent but it is an insult to the members of the Legislature There was absolutely no difficulty in waiting for 24 hours in which time the Government or the Chief Minister could make a statement in this House and after consulting the members of this House a Commission might have been appointed. I object on principle that there should be a Commission appointed by the Government which is accused of such serious charges to go into its own conduct It is just like an accused choosing his own tribunal. It cannot possibly be allowed. Even in private disputes between two parties one of the parties cannot choose its own arbitrator. (MR. AMULYADHONE ROY: What about Bombay Commission?) This Commission ought to have been appointed by the Central Government. The Central Government is competent to appoint a commission. The public and even the whole world is complaining against the Bengal Government's acts of omission and commission. Fortunately, the Muslim League is not the whole public opinion in Bengal or in India. Therefore it is in the interest of the Government, it is in the interest of Mr. Suhrawardy and it is also in the interest of all concerned in Bengal that this Commission should be appointed by such an authority that there may not be any possible room for any complaint about it.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I am amazed to hear that merely because the Bengal Government has set up the Commission—the Commission which is going to be presided over by the Hon'ble the Chief Justice of India—they do not want it, they object to it. I intend not to reply to this.

Mr. NAGENDRA NATH MOHALANOBISH: I do not see the reason for amazement of the Hon'ble Minister in charge of Law and Order.

The Hon'ble Mr. H. S. SUHRAWARDY: I have high respect for this man. The mover is liable to contempt of court.

Mr. NAGENDRA NATH MOHALANOBISH: Law of contempt of court! He left court long ago. He has to re-learn his law of contempt of court. (Mr. HAMIDUL HUQ CHOWDHURY: In the Deputy Comissioner's Court at Jalpaiguri?) Yes, Jalpaiguri is a much better place. However, in order to have a Commission beyond all reasonable room for criticism, you must not proceed with this idea of having your own Commission to try charges against yourselves.

My next point will be that the reference or rather the terms of this reference that you have included in the resolution—those terms are too limited and I am afraid they have been framed with a view to sidetracking the real issues. I find from the copy of the resolution that was handed over to us along with the bill that the terms of reference will be to "enquire into the causes and the course of the disturbances in Calcutta between Friday, 16th and Tuesday, 20th of August, 1946, and into the measures taken to deal with them and to submit to the Government of Bengal a report of their findings. I am told just now that this reference will be a bit enlarged by including occurrences at some other places and perhaps the time also is to be extended from the 20th of August to some later date. Now, Sir, we all know the real causes of this disturbance. Perhaps the public of Bengal do not very much like to know the causes. That is almost well known. Neither are we very much interested with regard to the methods or measures which were taken to deal with them. Perhaps many who were in Calcutta and who are in Calcutta know perhaps to their bitter experience what were the measures which were taken by the Government during those fateful days. We are also not very much concerned with the measures taken. It is practically known to us all. But what we want to know, what the public of Bengal would like to know is who were the persons who were actually responsible for this ghastly tragedy. That is the thing, Sir, which I think everybody in Bengal would be anxious to know. You know, Sir, what happened and we have also heard from the lips of the Minister in charge of Law and Order as to what he did or what he did not do. He was trying to place the entire blame on the Commissioner of Police and his staff. The public however have rightly or wrongly charged Mr. Suhrawardy for acts or serious omissions which either led to these disturbances or which permitted these disturbances to continue for days without any real attempt to check them. Now, Sir, I am not going to deal with the merits and demerits of the charges and the defences which have been put forward on behalf of Government or on behalf of the Minister in charge of Law and Order. That may be very properly left to the Commission that will be appointed. But what I want to ask is, are not these charges serious enough which should engage the attention of the Commission for the purpose of finding out not the hands that killed, not the hands that looted but the brain that caused these things to be done. But you find, Sir, in the reference to the Commission that there has been a careful avoidance of that particular thing that is so very necessary, but the people in Calcutta, in Bengal or for the matter of that in India and the outside world, are anxious to know who is that person or who are those persons who left Calcutta to the mercy of the goondas for at least two days and two nights. That is what we definitely want to know but that is what this reference to the Commission has deliberately tried to avoid. Now, Sir, it would be useless for us to know after six months as to what were the causes; it would also be useless for us to know what were the measures adopted if we will not be in a position to know who were actually responsible for all that happened. I would therefore submit that this reference that has been framed for the purpose of consideration of the Commission must be widened with a view to have the real matter sifted and

the responsibility fixed. I therefore commend my amendment to the members of the House that they should refuse to allow an enquiry by this Commission. I may say that I have got the greatest regard for the Chief Justice of India; I have also got the greatest regard for the other Judges who have been nominated or appointed for the Commission but that is an entirely different matter. I object on principle that an accused should be given the right to select a tribunal for his own trial. That is a principle which I hope honourable members will rigidly adhere to. There is no question of any delay. You can have another Commission appointed by the Government of India in two days' time and that Commission may set to work at once. But if you allow this Commission to work in the way in which the Government of Bengal are trying to have it done, I submit that you will be doing a great injustice not only to Calcutta, and to Bengal, but to all India. (The Hon'ble Mr. H. S. SUHRAWARDY: Does he not know that he is an accused himself?) Yes, I know I am an accused myself. Sir, I am not going into the merits or demerits of the defence as I have said. Mr. Suhrawardy in his defence has said that he was in the Control Room in the Police headquarters, but he was not actually there to dictate——

Mr. PRESIDENT: Order, order. Mr. Mohalanobish, you should confine yourself to the principle of the bill generally and must not indulge in these observations. You are not confining yourself to the principle of the bill, I am afraid.

Mr. ABDULLAH-AL-MAHMOOD: On a point of order or information, Sir. May I know the procedure being followed in this House? Generally the procedure is that the Leader of the Opposition gives the number of cut motions that will be moved by his party. Here it has been seen that the Leader of the Opposition had practically dissuaded the mover from moving his amendment.

Mr. PRESIDENT: That is a matter for the party.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I was developing my point by saying that we are not going to discuss the merits or demerits of the cases on the two sides. I was going to bring out clearly that these are matters of detail with which we are not concerned at this moment. I was not going to depart from the established rule or principle that in dealing with an amendment I should confine myself to the principle of the bill; I am quite aware and conscious of that. But I am suggesting to the House that the main point which I have just now submitted should be kept in view while you are going to appoint a Commission of Enquiry of this nature and when you are going to settle the terms of reference for this Commission. What I was trying to establish was that the terms of reference should be wider and this has not been done purposely by this Government with a view to avoiding their own responsibility. That is a point which is so clear, so palpable that there cannot be any possible objection to it. If Government want to clear themselves of the charges that have been brought against them they should welcome this and should support my contention. There has already been a very strong public opinion in the country against the appointment of this Commission by the Government of Bengal and the fact has been clearly expressed in various newspapers including the Statesman of the 17th instant and I think it would be plain to anybody who has got any sense of justice and fairplay. (Interruptions from Government benches.) Now, Sir, it is no use trying to interrupt. We know that you have got a majority and you can tyrannise by your numbers. At the same time we can from our side say that we have got the right to speak and you cannot prevent it and I say that having done all these you are having a Commission of your own choice as if you can have terms of reference of your own choice just as an accused is framing charges for his own trial. I therefore ask the honourable members of the House to consider seriously the proposal which I have made in my amendment to elicit public opinion; whether the public of Calcutta and of Bengal are at all willing to have a Commission of this nature

appointed by this Government and whether they are satisfied with the terms of reference. I have no doubt that whatever may be the political views of the different parties in this House, they would certainly rise to the occasion and consider these points on their merits.

Mr. PRESIDENT: Amendment moved that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1946.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Sir, I agree with my friend opposite that we should altogether avoid the question of merits or demerits of the disturbances or similar issues. If my friend looks to the bill itself he would at once come to the conclusion that this bill is not for the purpose of doing anything except to give certain procedural powers to the Commission for their work and enquiries. In other words what their powers are, are defined in the Preamble, namely, "a Commission of Enquiry appointed to enquire into and report on the causes of and the measures taken to deal with the disturbances....." That is the power which is in the Preamble. It is well known that the preamble governs the scope of the bill. But having given the reasons, the bill proposes to give power to safeguard evidence of witnesses and to decide other matters of procedure; in other words, for the purpose of finding out the cause, to enquire into the measures taken, measures which ought to have been taken, and such incidental matters, namely, summoning of witnesses, calling for records and their production, etc. All this is procedure. Therefore after the statement of the Hon'ble Chief Minister that this bill has been drafted exactly on the lines of the procedure followed by the Commission of Enquiry of the R. I. N. disturbances set up by the Government of India, and in view of what I have said, I think there is no need for any circulation. As a result of the enquiry it is possible that the Commission may or will find out who is responsible for this disturbance. Of course I do not claim to know English like an Englishman and we are none of us so except five Englishmen present here. But it is clear from the preamble where it is said "report on the causes of and the measures taken", that it will be within the scope of the Commission to find out who has been responsible. Any Commission of this character can go fully into all these questions. After saying this I would like to draw the attention of my friend to certain constitutional aspects of the question. It is unfortunate that recently there has been a tendency in this country that whenever there has been a failure on the part of a Minister or of a Provincial Government even those who want fullest independence plead for the intervention of the Governor or the Viceroy. Sir, I feel that it is not a hopeful feature in the constitutional history of the country that we want that the Governor-General ought to have enough power to deal with every delinquent Provincial Government. If you look to the whole Government of India Act, 1935, you will find that it presupposes complete sovereign authority for the Provinces within their powers. You have yourself written a very valuable book on the constitution of India and I am sure you will agree that within the powers of a Provincial Government no power, not even the Government of India, can interfere. In other words in matters which are the concern of the Provincial Government the Central Government cannot interfere. My friend referred to the Famine Enquiry Commission—the Woodhead Commission. Now, Sir, in war time food condition was under the purview of the Government of India. It was not only a food famine in Bengal but also in other Provinces and there was certainly some authority of the Government of India to appoint a Commission to enquire into the matter. Admitting for the sake of argument that one of the Cabinet Ministers is responsible for the events in Calcutta, what would happen in England had a similar incident taken place there. Certainly the Government of England within the limits of the British Constitution would have appointed a Judicial Commission of high rank and no one would have asked America or Russia to appoint a Commission. The Constitution there provides that where there is such a public complaint the Government is to

appoint a Commission or the highest judicial tribunal. My friend might know that all such tribunals are presided over by the Lord Chief Justice. In that country there is no dual constitution like ours. There even though the Government of the day might be on trial the Government itself appoints the Commission. The very fact that it is a judicial tribunal commands confidence of the people there, even if the Government that appointed it would be tried by that tribunal. Sir, that argument holds good here, namely, in provincial matters nobody else can interfere. The Government of India has no right to appoint such a Committee or Commission. The fact that the Commission appointed consists of the Chief Justice of the Federal Court and two eminent Judges of two High Courts leaves no room to entertain any of the doubts or points raised. Even if any officer of Government is responsible he will be brought in for enquiry. Therefore the question of wider terms of reference is wholly beside the point. But unfortunately the subject of law is such that every lawyer will interpret it according to his own opinion and I feel that the legal aspect raised by some should be considered by Government.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, my friend, Mr. Azizul Haque, has already touched on the main point which I wanted to say. But I am certain that, a shrewd lawyer as Mr. Mohalanobish is, there is no doubt that Mr. Mohalanobish knows full well that it is the Government of Bengal and the Government of Bengal alone who is the competent authority to appoint the Commission (Cries of "No", "no", from the Congress Benches). It is a camouflage, when I was looking at his face I was almost seeing that an accused was pleading against his commitment to the committing magistrate. He first of all raised the question that in the tribunal which is being set up there should be no commitment because after all we know everything. What more will you know? Therefore he moves that the consideration of the bill which gives the procedural power to the Commission should be deferred till the 31st December so that by that date all necessity of a Commission will disappear. Therefore the first object of an accused is "don't commit me; don't call for an enquiry because if you call for an enquiry what else you will find; I will be the guilty person." Secondly even if you are committing me I have no confidence in the Commission. He establishes his case further that if the Commission finds out the guilty I have said that the Commission is not worth having because I have got no confidence in it. This Commission will give a verdict against me, I know it very well. Therefore these are the two points which weigh with Mr. Mohalanobish so that he might, living in the *terais*, could excite his friends to do the ugliest violence of the nature of which he has spoken yesterday before the House.

Mr. PRESIDENT: I hope, Mr. Hamidul Huq Chowdhury, you will avoid those personal attacks.

Mr. HAMIDUL HUQ CHOWDHURY: I am entitled to say this much, Sir, that the violent language that has been used in this House is of the nature of the violent language which has been one of the primary causes of the catastrophe that has happened in Bengal. We have seen that in the Hindu *Mohallas* this very story which was narrated by Mr. Mohalanobish here, namely, that the Muslims have slaughtered women and children, have looted properties of those Hindus living in predominantly Muslim quarters was narrated in a violent language and the Hindu mob was thereupon incited to act violently basing their action on the rumour, correct or incorrect, of other Hindus. This is one point which will come up before the Commission as one of the causes which led to this large-scale murder which Mr. Mohalanobish wants to avoid by his amendment. Therefore Mr. Mohalanobish feels that it is no use having a Commission to go into the causes of the riot lest the truth should come out which he wants to hush up. Sir, we want to know the causes. Certainly we want to know the causes because the causes may be political too and, if this is one of the causes, one of the

parties to this will be the Congress which has played the most prominen part in bringing about this catastrophe and which has crept into office i the Centre and has formed an Interim Government without the Muslin League.

Mr. PRESIDENT: May I make an appeal to you that you confin yourself to the business before the House and do not discuss the Interin Government at the Centre.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, he attacked the Leagu and so I have to reply to it here. Otherwise his speech may go unchallenge and unreplied.

Mr. NAGENDRA NATH MOHALANOBISH: I do not remember t have said anything about the League today.

Mr. HAMIDUL HUQ CHOWDHURY: You won't remember anthin that you said yesterday also.

An investigation will be made into the causes of the riot, the part th Congress played, the Party Leaders played, etc. Within that scope wil come the gentleman who is occupying the post of Home Minister unde the Government of India, who is the Executive Councillor of the Viceroy Also Pandit Jawaharlal will come into the picture if his formation of a Interim Government at the Centre without the Muslim League was adduce as a reason for the catastrophe in Bengal because this is an enquiry into riot. Mr. Mohalanobish certainly does not mean to say that he has n confidence in the Chief Justice of India, I mean, of the Federal Court After all, though he was elected on the Mahasabha ticket——(cries, of "No no") All right, I beg your pardon. But certainly when he was elected h was not a Congressman but he has now become a Congressman. Therefor as a member of the Congress organisation he follows the Congress policy o having full confidence in the Judges of the Federal Court, because th Congress has agreed to refer disputes regarding interpretation of the Stat Paper to the Federal Court and therefore when the Chief Justice of tha Federal Court is going to sit as Chairman of the Commission here he canno have any want of confidence in the Commission. Certainly we want to know this that there has been an utter failure on the part of the police in maintaining law and order in the city. We want to know whether it was due to an deliberate inaction of the police or to want of sufficient police force in th city. Sir, we are conscious of the fact that the police force of Calcutt has been and is completely inadequate for any ugly situation that may aris in Calcutta and when it did actually arise great difficulty was experienced in coping with it. We have been pressing for a very long time that thi province should have an armed militia with a strength of 20,000 to kee peace and order in the different cities and in the province as a whole, and for the purpose of maintaining a sufficient force to keep order in such a heterogenous and cosmopolitan city like Calcutta in which at least 60 pe cent. of its population comes from the neighbouring provinces of Bihar Orissa and the United Provinces. We require a very large force armed at th expense of Calcutta having regard to the situation that has been prevailing in Calcutta for the last two decades and to the fact that for maintaining the services in Calcutta the whole Province is made to pay. We want that there should be a police force paid for and maintained by the city of Calcutta which will be adequate in number and strength.

Mr. G. MORGAN: Are his remarks relevant to the motion before the House.

Mr. PRESIDENT: I do not think that he is relevant.

Mr. HAMIDUL HUQ CHOWDHURY: I hope Mr. Morgan will please look to the points which have been referred to the Commission, one of which is the measures taken to deal with the disturbances and in that connection

the strength of the police force in Calcutta will immediately come before the Commission. They will have to seriously consider whether the existing strength of the Calcutta police is sufficient or whether there should be an improvement in their number and quality. Therefore that is one of the points on which the House may feel itself called upon to express an opinion, and I am simply expressing my own views on this matter. Therefore Mr. Mohalanobish can be taken as seriously for his apprehension regarding the terms of reference to the Commission as his observations on the Calcutta police.

Mr. KAMINI KUMAR DUTTA: First of all, as leader of the Congress Party in this House I want to make one point very clear, so far as my party is concerned, we are not in the least interested in having the enquiry stifled or in any way to obstruct the expedition of the enquiry. On the other hand my party desires that the enquiry should be expedited as far as possible, and any delay would rather hamper the enquiry and the production of evidence which is now so fresh in the minds of the people. So I would make the position of my party quite clear. Though this motion has been moved by a member of my party I can tell the House that as the leader of the party this did not attract my attention before it was actually moved. It was not placed before the party and had it been so placed before my party I would have ruled it out. Now, what I say is this. I can fully appreciate the feeling which actuated this motion. The feeling underlying is this that we are here in the intriguing position that this enquiry relates to the default of those who are in charge of Law and Order and it is this very personnel who is in charge of Law and Order that has appointed the Commission. So there has been a dual role and it is on account of that intriguing position that this amendment has been moved. Another thing has escaped the attention of the House. The scope of the bill is very narrow. It is not for the appointment of the Commission: that has already been appointed. It is about the procedure to be followed by the Commission. From the preamble it is apparent that the Commission has already been appointed, and it is too late to prescribe the scope that the Commission should follow. I fully sympathise with the mover. The judge may be absolutely beyond reproach. (Mr. HAMIDUL HUQ CHOWDHURY: He is nervous.) No, he is not nervous. It arises out of the very grave situation now prevailing in the country—the situation that those who are in charge of Law and Order have to play a dual part—as a leader of a political party and as the administrator of law and order and justice of the Province. I certainly appreciate the point raised that the authority for the maintenance of law and order is excluded from the jurisdiction of the Government of India and it is under the jurisdiction of the Province. But if anybody can interfere it is the Governor-General. So I agree with the contention that has been placed by the other side of the House. But why should you run to the Governor or the Governor-General? We are not for running to the Governor or the Governor-General: We should run to our own institution, and I only desire to see that our own institution should rise above all suspicion and rise equal to the occasion so that you may not have to run to the Governor or the Governor-General. They will play setting one community against another In the circumstances I would advise the mover to withdraw his amendment.

Mr. C. MORGAN: Sir, I oppose the amendment before the House. There is no necessity at this stage to delay the Commission It cannot be delayed and it must not be delayed. There is one question I would like to ask. Mr. Dutta has said law and order does not belong to the Central Government, it belongs to the Provincial Government, and if the Governor-General and the Government of India were to come in and say suddenly "we are going to enquire about these things", that would be the first thing to be objected to here. It might also be said "we do not want you to come into the provincial field". My friend stated also that provincial

institutions have got to run themselves. Then, Sir, so far as the persons are concerned, even if the Governor-General were to try to appoint the personnel he could not do it, because the Provincial Government would not have allowed him to appoint a committee of enquiry. But had he done so, could he have selected the personnel better than the personnel selected at present? I say no. If I were to tell anything about this judicial authority I would say that a better judicial enquiry commission could not be selected. We could not select any better three. The bill before the House merely wants to give the Commission power to get to work. My friend has tried to prepare a brief for the Commission. He need not have done that. It is quite easy for the Commission to prepare one for them. The Chief Minister told us exactly what the Committee of Enquiry will do. The whole thing is now clear. Now, there is only one more point on which I would like a little more elucidation. I take it that the Committee of Enquiry that has been appointed will appoint the secretariat personnel. Possibly three of them with the Secretary cannot deal with all the multifarious duties there. I would like to know about the procedure to be adopted for the ordinary things, such as, who will send the papers for printing, for typing copies, etc. I would like to know what the procedure of the secretariat is likely to be. Sir, I oppose the amendment before the House.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I hardly think it is necessary for me to reply to the points raised by the mover——

Mr. NAGENDRA NATH MOHALANOBISH: Sir, with your permission I beg to state that after what has fallen from our Leader I beg leave of the House to withdraw my motion.

Mr. PRESIDENT: You ask for leave after the Chief Minister has spoken. Yes, Mr. Suhrawardy.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, in the first place, I would like to tell the mover that the Governor-General could not appoint the Commission of Enquiry. It would not have been necessary for the Government of Bengal or for the people to rise up in defence of provincial autonomy to tell him that the Government of India cannot appoint such an Enquiry Commission and the only authority that could appoint is the Government of Bengal.

As regards the second point, namely, the procedure and secretariat, I have already told you in the beginning that I have not looked into the matter at all and I am not caring to know what is being done by the Secretariat of the Commission. That is a matter which is entirely for the Chief Justice and the Secretary to do as to who will be best suited for those purposes. Now, Sir, there is one point that I like to say before I sit down and it is this that my friends on the other side are very fond of placing me in the dock as an accused. I am afraid I do not accept that position. I am neither in the position of an accused nor in the position of a complainant. The Commission will enquire into the causes and it will also enquire into the measures that have been taken and it will come to certain findings in respect of these. Does the honourable member realise that the majority of the people in Bengal consider that the party to which he claims adherence at the present moment are the real accused in respect of the incidents that have taken place. We have appointed an Enquiry Commission. Let it find out who is responsible and I am certain that when its findings are ready or written we shall all have to abide by them and bow our head before them.

Mr. PRESIDENT: Order, order. Leave has been asked for by Mr. Mohalanobish to withdraw his amendment that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1946. Is it the pleasure of the House to grant such leave. (SEVERAL MEMBERS: Yes, yes.) The Motion is by leave of the House withdrawn.

Without intervening in the debate in any way I shall just say a few words to satisfy the constitutional curiosity of the honourable members. Just referring to item (2) in List II where public order is a Provincial subject and also item (38) in List II where it is mentioned "Enquiries and statistics for the purpose of any of the matters in this list"—that is a Provincial subject. I just wanted to draw your attention, nothing else.

The House will now take up consideration of the Bill clause by clause.

Clause 1.

Mr. PRESIDENT: Clause 1 stand part of the Bill.

The question before the House is that clause 1 stand part of the Bill.

The motion was put and agreed to.

Clause 2.

Mr. PRESIDENT: Clause 2 stand part of the Bill.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I move that in clause 2 of the Bill, after the word "sections" in line 9, the figures and commas "195, 476" be inserted.

Now, Sir, the simple object of this amendment is to clear up an ambiguity which is apparent on the drafting of this clause 2. The idea is that there can be a prosecution for giving false evidence before the Commission though the person who is making such a statement before the Commission will be immune from other proceedings but he is not immune from a prosecution for giving false evidence. Therefore if you give that right to prosecute a man for giving false evidence there must be provisions as to who will make a complaint. Therefore in order to make a complaint and have the procedure for that complaint the sections 195 and 476 of Criminal Procedure Code would be necessary to be invoked. Therefore, Sir, without any further elaboration I think that the mention of these sections is necessary. Section 195 is a section which says that when any offence mentioned in that section which includes the offence of giving false evidence is committed before any court, civil, criminal or revenue, then no court can take cognisance of any offence unless there is a complaint made by that court. The Commission is given the powers of a civil court and if a complaint has to be made then that complaint has to be made under the provisions of section 476 of the Criminal Procedure Code. Therefore both sections 195 and 476 should be inserted with a view to giving the court the power to do those things which are absolutely necessary with a view to prosecute a man for giving false evidence.

Mr. PRESIDENT: Amendment moved that in clause 2 of the Bill, after the word "sections" in line 9, the figures and commas "195, 476", be inserted.

Before this amendment is thrown open to discussion, I think the amendment to line 3 of clause 2 should have been moved first. But as Mr. Mohalanobish has already moved his amendment I would now request the Hon'ble Chief Minister to move his amendment.

The Hon'ble Mr. H. S. SUHRAWARDY: I beg to move that in clause 2 of the Bill, after the words, letters and figures "11th September, 1946", the words "as amended from time to time" be inserted.

My purpose in moving this amendment is that we have within the provisions of this bill enlarged the territorial jurisdiction of the Commission by including in it the thanas of Matiabruze and Tollygunge and the Municipality of Howrah. This is in response to the——

Mr. PRESIDENT: Are you moving your amendment to the Preamble also?

The Hon'ble Mr. H. S. SUHRAWARDY: No, I am simply movin the amendment to clause 2. There is an amendment to the preamble als but I am not moving that now. That will come at the end. So my purpos is to amend the resolution in order to meet public opinion. I hope th House will accept the amendment.

Mr. PRESIDENT: Amendment moved that in clause 2 of the Bill, afte the words, letters and figures, "11th September, 1946", the words "a amended from time to time" be inserted.

The question before the House is that in clause 2 of the bill after th words, letters and figures, "11th September, 1946", the words "as amend ed from time to time" be inserted.

The question was put and agreed to.

Mr. HAMIDUL HUQ CHOWDHURY: May I speak a few words o Mr. Mohalanobish's amendment?

My submission is that there is obvious difficulty in introducing the ques tion of sanction of prosecution, namely, as in sections 195, 476 of th Criminal Procedure Code, for the question of sanction will arise probabl after the Commission has dispersed. Therefore the question arises in thos cases in which the court expressly provides for trial and defence for offence committed before a civil court has ceased to function, or to exist, and th trial has proceeded without sanction. The Tribunal may order after it dissolution that there should be sanction of prosecution or no sanction o prosecution. But my friend's amendment will create further difficult because where there is no commission no sanction is necessary. It has bee experienced that such prosecutions cannot go on but the introduction o these sections cannot be of any help because the Commission will not b there.

Mr. KAMINI KUMAR DUTTA: As the bill stands now, it appear that sections 195 and 476 of the Criminal Procedure Code would ordinaril be applicable because the Commission has been given the power of a civi court. So, for all purposes, it is a civil court and certainly the provision of the Criminal Procedure Code relating to prosecutions in cases of offence committed or in relation to proceedings of a civil court must be applicable So I was only thinking whether that motion is redundant. That is my ow view though it would be applicable in cases of prosecution under fals evidence. Of course I am aware of the difficulty which arises, for after th commission is dissolved how can a prosecution be started? As we know from experience a prosecution is not started after the commission is dissolve and generally prosecution is started before the report is submitted. Tha is what they usually do. I have got some experience of a commission i my own district where a prosecution had to be started and what they di was that it gave sanction just on the day they were dissolved, they becam *functus officio* after the submission of their report and till the report i submitted they constitute the Tribunal and the Commission. If there i any prosecution they will give sanction and if they don't give sanction ther is no prosecution at all. The equitable principle adopted and accepted i that prosecution should not be made a handle for the gratification of th grudge of a particular party.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I am opposing thi amendment. The bill follows the line of R. I. N. Enquiry Resolution wherein the enquiring authority was not given complete power under sec tions 195 and 496. Although the Commission will take evidence along wit what powers given to it, the enquiry is not a judicial enquiry and the Com mission will cease to function after submission of the report. It may b true that there may be complaint and indication may be there in the repor of the Commission, but it will be infructuous on the part of any authorit to exercise a private grudge by complaining against a person whose evidenc

has been recorded by the Commission. The Commission is not set up for the purpose of filing complaints in any court for perjured evidence and consequently the amendment will not only be infructuous and redundant but it would be useless.

Mr. S. C. SEN: Sir, there has been some difficulty in respect of prosecution for false evidence as has been pointed out by my honourable friend Mr. Chowdhury as after the enquiry is over the Commission would be *functus officio* and naturally no complaint or prosecution can be made for giving false evidence. To obviate that difficulty if my amendment No. 16 on the agenda paper is accepted under clause 3 it would meet the case where it is laid down—"provided that no prosecution for giving false evidence before the Commission would lie unless the provisions of sections 195 and 476 of the Code of Criminal Procedure are complied with, or on the complaints of the Advocate-General, Bengal". Perhaps the Hon'ble Chief Minister and lawyer members here know that where there is no such provision, if you want to proceed against the person giving false evidence, you cannot do so. It would meet the case therefore if you add a provision like my amendment to clause 3. This will obviate the difficulty.

Mr. PRESIDENT: The question before the House is that in clause 2 of the Bill after the word "sections" in line 9, the figures and commas "195, 476", be inserted.

The motion was put and lost.

Mr. PRESIDENT: I think we better stop here today.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I would like to suggest that as this bill is very important and as it must get through both the Houses before we adjourn for the Puja holidays may I request you to allow this bill to be taken up tomorrow and finished? Tomorrow is a non-official day. I am sorry we are encroaching upon the non-official day, but it is of paramount importance that we finish the bill without delay.

Mr. PRESIDENT: Is there any objection?

Mr. KAMINI KUMAR DUTTA: Members on this side feel that as there is only one non-official day they would like to have it for non-official business. We think that one or two days delay will not affect the Government.

Mr. PRESIDENT: Are Government prepared to allow another day for non-official business?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, Sir. If we finish this bill tomorrow we can have a non-official day on Wednesday.

Mr. KAMINI KUMAR DUTTA: Yes, Sir, we agree——

Mr. LALIT CHANDRA DAS: Is the non-official business going to be carried to Wednesday.

Mr. PRESIDENT: Yes, it is then agreed that we take up this bill tomorrow instead of the non-official business and the non-official business of tomorrow will be taken up on Wednesday next.

The House stands adjourned till 10 a.m. tomorrow.

Adjournment.

The Council then adjourned till 10 a.m. on Friday the 20th September, 1946.

Members absent.

The following members were absent from the meeting of the Council held on the 19th September, 1946:—

(1) Mr. L. P. S. Bourne,
(2) Khan Bahadur Syed Abdur Rashid Chowdhury,
(3) Khan Bahadur Sk. Fazal Ellahi,
(4) Mr. Mangturam Jaipuria,
(5) Alhaj Khan Bahadur Sk. Muhammed Jan,
(6) Mr. Humayun Z. A. Kabir,
(7) Maulana Muhammed Akrum Khan,
(8) Mr. Syed Abdul Majid, and
(9) Dr. Kumud Sankar Roy.

BGP-47/8-12A-250

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 23.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 20th September, 1946, at 10 a.m., being the twenty-third day of the First Session of 1946, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

Mr. HARIDAS MAZUMDAR: Sir, with regard to my question No. 107, will the Judicial Minister reply to the other supplementaries today as they were postponed yesterday or he might reply to them afterwards.

Mr. PRESIDENT: Very well after these questions are over.

Facilities granted to the security prisoners and political convicts for the prosecution of their studies.

108. Mr. HUMAYUN KABIR: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(a) if security prisoners and political convicts are now allowed to sit for University Examination;

(b) what facilities have the Government offered them to prosecute their studies and prepare themselves for citizenship after their release;

(c) whether they are allowed to get books from the Imperial Library for purposes of their studies; and

(d) whether Government proposes to make arrangements enabling such prisoners in becoming reading members of the Imperial Library and obtain books therefrom?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Chief Minister's Department): (a) All security prisoners in Bengal have been released. The question therefore does not arise so far they are concerned.

Well-behaved convicted prisoners are allowed to sit for University Examinations, subject to the conditions laid down in rule 654(5) of the Bengal Jail Code, Volume I (Seventh Edition), a copy of which is placed in the Library.

(b) They are allowed the privilege of prosecuting their studies including partial exemption from jail labour when called for.

(c) Yes, under rules 654 and 1074 of the Bengal Jail Code if they are members of the Library.

(d) Government have no objection to prisoners becoming reading members of the Imperial Library and borrowing books therefrom according to the rules of the Library, but subject to rules 654 and 1074 of the Bengal Jail Code.

Mr. BIJOY SINGH NAHAR: Will the Hon'ble Minister be pleased to state whether there is any arrangement by which the prisoners can send back the books to the library?

The Hon'ble Khan Bahadur MOHAMMED ALI: That could be done through the postal parcel.

Mr. BIJOY SINGH NAHAR: Will the Hon'ble Minister be pleased to state whether these prisoners would be allowed to write more letters than the usual quotas while writing to the libraries?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice, but it is presumed that so far as writing to the library is concerned that is not taken as private correspondence of the security prisoners.

Recommendations of Mr. R. A. Pepperall.

109. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture, Forests and Fisheries be pleased to state if the attention of the Government of Bengal has been drawn to the recommendations of Mr. R. A. Pepperall, Milk Marketing Adviser to the Government of India, last year as contained in his report recently submitted to the Government of India's Member for Education, Health and Lands?

(*b*) Has the attention of the Government of Bengal been attracted to the following recommendations of Mr. R. A. Pepperall:—

(*i*) setting up of a milk commission in each Province; and

(*ii*) a definite Governmental milk policy?

(*c*) If so, what steps have been taken by the Government of Bengal to implement the recommendations of Mr. Pepperall with a view to improving the supply of milk in Bengal?

(*d*) If not, why not?

The Hon'ble Khan Bahadur MOHAMMED ALI (on behalf of the Minister in charge of the Department of Agriculture, Forests and Fisheries: (*a*) and (*b*) Yes.

(*c*) The recommendations of Mr. Pepperall will be substantially complied with if the scheme for the establishment of a Central and Subsidiary Live Stock Breeding-*cum*-Research Station and the long-term policy advocated in the Calcutta Milk Survey Report published by the Government are carried out. The present policy of the Government with regard to the improvement of live stock (Post-War Reconstruction Scheme No. 9) is also directed towards producing good dairy animals for Bengal. A statement showing the lines of action taken or proposed to be taken in this direction is placed on the Table.

(*d*) Does not arise.

Statement referred to in answer to question No. 109.

The report of the survey of Calcutta's milk supply confirms the general impression that the available milk supply is utterly inadequate not only to meet the optimum nutritional requirements of the people, but even to meet the minimum needs of priority consumers, such as children, nursing and expectant mothers. Yet paradoxical though it may appear, even the limited supply of milk cannot find a ready market on days when the demand from the sweetmeat trade is small, for example, on days when no marriage or festival is celebrated. The fact of the matter is comparatively few people can afford to buy milk at the prevailing high price. Merely increasing the supply of milk will not improve the present unsatisfactory position.

The present level of price, high as it is, is not disproportionate to the prices of other necessaries of life and the cost of producing milk. As fully explained in the report, the cost of producing milk in Calcutta will remain high so long as the bulk of the city's supply is produced in Calcutta under conditions which are wasteful of valuable milch cattle.

The milk problem of Calcutta is to bring about increased production at lower costs, which will make milk sufficiently cheap for the lower-income groups. Along with increased production at lower costs, would be control of quality and rational distribution of the available supply. These objectives may be achieved by the fulfilment of the long-term policy recommended in the report, viz.—

(*i*) the production of milk in the countryside, milk production in the city being banned,

(*ii*) complete control of production, processing, manufacture and distribution of milk and milk products in order to control both the quality and the quantity,

(*iii*) sale of milk and milk products at standard qualities, and

(*iv*) a statutory control of price of milk and milk products for producers and consumers.

The magnitude of the task involved is great as will be seen from the fact that to provide an adequate supply of milk for Calcutta, the number of milch cattle required at a conservative estimate, would be about 180,000; and even allowing the animals sufficient lands to provide a quarter of their ration as green fodder, about 45,000 acres, i.e., over 70 square miles of lands would be required. Apart from the difficulty of finding the required number of milch cattle and such an extensive area of lands suitable for dairy farming within easy reach of Calcutta, this Province lacks experience in the running of commercial dairies.

As a first step towards the fulfilment of the long-term policy referred to above, Government have sanctioned a scheme for the establishment of a Central Livestock Research-*cum*-Breeding Station comprising an area of some 6,000 acres at Haringhata near Kanchrapara about 35 miles from Calcutta. Among other things, the scheme provides for the breeding of high grade bulls so necessary to improve the quality of our milch cattle and to reduce our dependence for such cattle on imports from other Provinces. This also provides for the setting up of an experimental dairy farm where the economics of commercial production of milk on modern lines will be studied. It is hoped that the lessons of this experiment will be useful in establishing commercial dairies to supply milk to Calcutta and other urban areas in this Province.

Government are going ahead with the scheme with all possible speed.

The need for augmenting the existing supply of milk being immediate and urgent, Government also propose to take such short-term measures as are practicable to ease the present position. Government have sanctioned special staff for developing the milk supply of urban areas, particularly of Calcutta, Dacca and Chittagong. Against thousands of milch cattle in pre-war days which were imported into Bengal from the Punjab, the United Provinces and Bihar, the former two have sanctioned for Bengal monthly quota of 500 and 1,000 only, while Bihar has completely banned export. Representations have been made for securing larger quotas from the United Provinces and the Punjab and for a reasonable quota from Bihar. Further with a view to the maximum utilisation of the existing milch stock in Calcutta, the following proposals are under consideration:—

(1) establishment of farms for the salvage of dry cows and buffaloes,

(2) provision of veterinary aid,

(3) provision of stud-bulls,

(4) control of rent of stables.

Further, the Calcutta Corporation has been addressed to license all cattle kept in the city so as to ensure a minimum standard of sanitation and cleanliness.

Sir MUHAMMED AZIZUL HAQUE, Khan Bahadur: Arising out of (*b*) may I know whether the suggestion for the appointment of a Milk Commission has been considered by Government and if so with what result?

The Hon'ble Khan Bahadur MOHAMMED ALI: I ask for notice.

Securing of dead bodies for dissection purposes.

111. Mr. HARIDAS MAZUMDAR (on behalf of Dr. K. S. Ray): Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) if the Government are aware of the great difficulty experienced by the Medical institutions in securing dead bodies for dissection purpose;

(*b*) if he is aware that due to this it has become practically impossible for the institutions to satisfy the requirements for dissection laid down in the curriculum for medical studies; and

(*c*) if the answer to part (*a*) above is in the affirmative, what steps the Government propose to take in this direction to ensure proper supply of dead bodies for efficient training of medical students?

MINISTER in charge of the DEPARTMENT of HEALTH and LOCAL SELF-GOVERNMENT (the Hon'ble Khan Bahadur Mohammed Ali): (*a*) and (*b*) Yes.

(*c*) The Surgeon-General is convening a meeting with the heads of Anjuman Mufidul Islam and the Hindu Satkar Samity and the Christian Burial Board to explore the possibilities of a satisfactory solution of this question.

Mr. PRESIDENT: There are some held-over questions. One is No. 54 by Rai Bahadur Jogendra Nath Ray. Yes, Rai Bahadur.

Price of wheat from the Punjab.

54. Rai Bahadur JOGENDRA NATH RAY: (*a*) Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state if his attention has been drawn to the statement made by Sir Chatu Ram, Revenue Minister of the Punjab Government, published in a Calcutta daily, which runs thus ". ....The Punjab wheat lands at Calcutta approximately at Rs.12-8 per maund. The Bengal Government sells it to mills at Rs.15 per maund, allows them Rs.4 per maund as milling charges, purchases *atta* from those very mills at Rs.19 per maund and sells at Rs.20 per maund. The pretext for this astounding conduct is that the Bengal Government has to send wheat and *atta* to distant stations and is also building up a Stabilization Fund. A Stabilization Fund at the expense of the Punjab grower and of the poor Bengal consumer"?

(*b*) How far is the statement referred to above correct?

(*c*) Are the Government building up any Stabilization Fund as referred to in the statement?

(*d*) Will the Hon'ble Minister be pleased to make a clean statement on the allegations made by the Hon'ble Revenue Minister, Punjab?

MINISTER in charge of the DEPARTMENT of CIVIL SUPPLIES (the Hon'ble Khan Bahadur Abdul Cofran): (*a*) Yes.

(*b*) Though during the period ending the 31st December, 1943, Government made a small profit, it was adventitious. The cost of procurement of wheat from the Punjab during the period—May, 1943, to February, 1944,—averaged Rs.12-11-6 per maund and the average cost of procurement of wheat from the United Provinces during the same period was Rs.15-12-3 per

maund. Wheat was transferred to the mills in June and July, 1943, at Rs.15-8 per maund, in August and in the first half of September at Rs.14-4 per maund, from the second half of September to the rest of the year at Rs.12-12, and from the 1st January, 1944, at Rs.10-7 per maund. The fortuitous profit was more than liquidated by the reduction in price with effect from the 1st January, 1944, and Government incurred substantial losses in their transactions of wheat and wheat products in 1944 and in 1945.

(*c*) No.

(*d*) The average price of Punjab wheat landed at Calcutta approximated to Rs.12-11-6 per maund from May, 1943, to February 1944. The average price of United Provinces wheat was similarly Rs.15-12-3, during the period 15th May, 1943, to 29th February, 1944, and both varieties of wheat were sold as follows during the periods noted below:—

1st June, 1943, to 31st July, 1943—at Rs.15-8 per maund.

1st August, 1943, to 18th September, 1943—at Rs.14-4 per maund.

19th September, 1943, to 31st December, 1943—at Rs.12-12 per maund.

From 1st January, 1944—at Rs.10-7 per maund.

The milling differential allowed to the millers (including cost of gunny and other incidental expenses) was—

1st June, 1943, to 31st July, 1943—Rs.3-8 for *atta* and also for flour.

1st August, 1943, to 18th September, 1943—Rs.2-8 for *atta* and Rs.5 for flour.

19th September, 1943, to 31st December, 1943—only Re.1-4 for *atta* and Rs.6-4 for flour.

From 1st January, 1944—Re1-1 for *atta* and Rs.3-9 for flour.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Is the Hon'ble Minister aware that there is quite a large population in Bengal whose staple food is wheat?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I am not aware of a large population who eat wheat and wheat products only, but I know that there is a certain number of Marwaris who eat wheat.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Certainly more than 2 lakhs. Have the Government considered this question that as the price of atta or flour is placed at a much lower level than rice, the wheat eating population gets their staple food at a much cheaper rate than the rice eating population?

The Hon'ble Khan Bahadur ABDUL GOFRAN: So far as I find, the price of atta is not lower than the price of rice and there is no disparity worth mentioning between the two prices.

Rai Bahadur JOGENDRA NATH RAY: Will the Hon'ble Minister be pleased to state if the astounding conduct referred to therein has been challenged or the allegations contradicted?

The Hon'ble Khan Bahadur ABDUL GOFRAN: My answer is that these are the facts as I have given in the answer and from these facts you can very well understand that we do not admit the statements made by the Hon'ble Sir Choturam to be correct.

Rai Bahadur JOGENDRA NATH RAY: Is it not a fact that Government are making profit at a time when lakhs of people are dying?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I have already giv the answer that Government made a very small profit, which w adventitious.

Rai Bahadur JOGENDRA NATH RAY: What is that "small" profi

The Hon'ble Khan Bahadur ABDUL GOFRAN: As regards the amou I ask for notice.

Rai Bahadur JOGENDRA NATH RAY: Was the wheat purchased the Punjab directly or through any agent?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I want notice.

Appointment of Public Prosecutor of Faridpore.

Rai Bahadur JOGENDRA NATH RAY: The Hon'ble Minister stat that wheat was transferred to the mills at Rs. 15-8 per maund and the rat of the sale of wheat were also the same. At which mills was this whe sold and through whom, and what are the rates at which the public got i

The Hon'ble Khan Bahadur ABDUL GOFRAN: Wheat had be transferred to mills in Calcutta and from the mills they were sent to t mofussil and other places for consumption by the public.

Rai Bahadur JOGENDRA NATH RAY: What led Sir Choturam make this sarcastic remark?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I do not know.

Mr. PRESIDENT: How can the Hon'ble Minister reply to th question?

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Especially wh he is dead.

Rai Bahadur JOGENDRA NATH RAY: Is it a fact that the Gover ment of Bengal built up a Stabilization Fund at the expense of the Punj grower?

The Hon'ble Khan Bahadur ABDUL GOFRAN: No, certainly not.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Is the Hon'b Minister aware that this cry of profit made by the Bengal Governme raised in Bengal affected the food situation for Bengal for which Beng had to suffer?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I want notice.

Appointment of Public Prosecutor of Faridpur.

Mr. PRESIDENT: Mr. Mazumdar, you may now put your suppl mentary questions with regard to question No. 107.

Mr. HARIDAS MAJUMDAR: Arising out of (*f*)—the Hon'b Minister states in reply that "Babu Nagendranath Das Gupta, the form Public Prosecutor of Faridpur, worked in that capacity for 6 years, 9 montl and odd days"—will the Hon'ble Minister be pleased to state why th change-over?

The Hon'ble Mr. JOGENDRA NATH MANDAL: As I have alread said, Government appointed Maulvi Abdus Salam Khan on the recommend tion of the District Magistrate but the reasons for the recommendation a not known to Government.

Mr. LALIT CHANDRA DAS: What is the name of the District Magi trate who recommended him?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Mr. F. A. Karin I.C.S.

Mr. NAGENDRA NATH MOHALANOBISH: Was Mr. Das Gupta found guilty of anything improper or unfit to discharge his duties and so was it found necessary to replace him?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Many questions have been linked together. Therefore it cannot be answered in one word. However, any instance of neglect of duty by him is not known to the Government. But as I have said before, the reason for the change was not known to Government.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to make an attempt to ascertain from the District Magistrate why he was superseded?

The Hon'ble Mr. JOGENDRA NATH MANDAL: The honourable member should perhaps know that Public Prosecutors are appointed for a term of years and at the expiration of that term new men are usually appointed.

Mr. LALIT CHANDRA DAS: Is it a fact then that after 6 years 9 months his term expired?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Yes, Sir.

Mr. LALIT CHANDRA DAS: Will you please admit that it was in pursuance of communalism?

The Hon'ble Mr. JOGENDRA NATH MANDAL: No I do not admit that.

Mr. BIJOY SINGH NAHAR: Will the Hon'ble Minister be pleased to state what is the usual term of appointment in these appointments?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Three years.

Mr. NAGENDRA NATH MOHALANOBISH: Is it a fact then that Mr. Das Gupta completed his term of 3 years and when the question of renewal came in he was replaced by a new man?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Yes, Sir.

Mr. NAGENDRA NATH MOHALANOBISH: May I know whether this gentleman who was appointed in place of Mr. Das Gupta belongs to the Muslim League Party?

The Hon'ble Mr. JOGENDRA NATH MANDAL: I think so.

Mr. NAGENDRA NATH MOHALANOBISH: Is it for this reason that he was appointed?

The Hon'ble Mr. JOGENDRA NATH MANDAL: I do not know the reason. But I do not think so, because that gentleman, Mr. Abdus Salam Khan, is a reputed lawyer and has established his reputation and I think that was the reason for his appointment as Public Prosecutor.

Mr. PRESIDENT: Now I take up Mr. Lalit Chandra Das's held-over question No. 60. Mr. Das.

Deaths from starvation.

60. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Department of Civil Supplies be pleased to state—

(*a*) whether it is a fact that a person died of starvation in the middle of June, 1946, in the village of Harigati Kalmakundu thana within the subdivision of Netrokona in the district of Mymensingh;

(*b*) whether it was reported earlier in the same month that another died of starvation in that same subdivision;

(c) whether Government have received news of deaths from starvation of people in the Eastern Bengal this year since May, 1946; if so, of how many;

(d) whether it is a fact that groups of villagers, men, women and children the majority of whom are either landless cultivators or landless labourers in the Eastern Bengal are living on jack-fruits, supplied to them by villagers;

(e) what steps Government have taken so far to prevent deaths from starvation or relieve the situation of those who are on the verge of starvation; and

(f) what steps Government have taken to reduce the price of rice so as to bring it within the reach of the poor people.

The Hon'ble Mr. ABDUL GOFRAN: (a) Government have received no such report.

(b) The death of a man from starvation was alleged in a newspaper report. Enquiries were made and it was found that the man was not destitute and that death was due not to starvation but to pneumonia. Government have already issued a Press Note on this matter.

(c) Government have seen a few reports in the Press regarding deaths in East Bengal from alleged starvation. None of these reports have however been substantiated by enquiries.

(d) There may be a few isolated cases. Government have received no information and do not believe that large numbers of people anywhere are so short of foodgrains that they are living on jack-fruits.

(e) Government are distributing rice under modified rationing to the poorer sections of the population in all areas where shortage has developed or where prices have risen. In addition free doles or rice at concessional prices are being distributed to the extremely poor. Other relief measures in the shape of test relief works, loans, gratuitous relief and institutional relief in destitute homes have also been undertaken.

(f) Government propose to continue the measures already mentioned.

Mr. LALIT CHANDRA DAS: Arising out of (b), will the Hon'ble Minister be pleased to state how he can say that the deceased was not a destitute? Was an enquiry made of the area of lands he had? How many *kanis* had he?

The Hon'ble Khan Bahadur ABDUL GOFRAN: Of course enquiries had been made and then it was found that the allegations were not correct.

Mr. LALIT CHANDRA DAS: How many *kanis* of land—quantity of lands—he had? How can you say he was not a destitute? What is your ground?

The Hon'ble Khan Bahadur ABDUL GOFRAN: I ask for notice.

Message from the Assembly.

Mr. SECRETARY (Dr. S. K. D. Gupta): Sir, the following message has been received from the Bengal Legislative Assembly:—

"*Message.*

The Bengal Legislative Assembly at its meeting held on 17th September, 1946, agreed to the Bengal Special Tribunal (Continuance) Bill, 1946, as passed by the Bengal Legislative Council without amendments.

Sd. N. AMIN,
Speaker,
Bengal Legislative Assembly".

CALCUTTA,
The 19th September, 1946.

The Calcutta Disturbances Commission of Enquiry Bill, 1946.

Mr. LALIT CHANDRA DAS: Sir, I find there is an accidental slip in my amendment. The word "also" has been left out accidentally. I beg to insert that.

Mr. PRESIDENT: Yes.

Mr. LALIT CHANDRA DAS: Sir, I beg to move that after clause 2 of the Bill, the following be added, namely:—

"It shall also be competent for the said Commission to take evidence for or against the Minister or Ministers, the Commissioner of Police or the Chief Secretary or other high officials and report to the Government as to them may seem fit and proper."

Sir, I desire to explain why I have put in this amendment. There is a general feeling that this Commission ought to have been appointed by the Government of India. There is no doubt that this Government has absolute power to appoint such a Commission for the purpose of enquiring into the causes of this riot and also the measures that were adopted to stop it. With respect to this there is no question. But there is a precedent that in 1943 when famine broke out the Famine Commission was constituted by the Government of India. That was the Woodhead Commission which sat in Calcutta and reported on the Bengal famine. (The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Not only of Bengal famine but of all-India famine.) Bengal famine particularly and in that report of the Commission, Sir, having been appointed by the Government of India, it very severely castigated the Ministry and the high officials of the Government of Bengal. Now, Sir, this Commission is being instituted by the Government of Bengal and there is an impression abroad that, when the Government of Bengal has done so, probably people may hesitate to give evidence against the high officials of the Government, as for example the Minister or Ministers, the Commissioner of Police, the Chief Secretary and other high officials. It is a very important thing. It is necessary, Sir, that not only justice should be done but also the people should know from now on that action is being taken here to see that justice is done and thus create a very favourable impression into the minds of the public. Therefore, Sir, it is very necessary that we should be very explicit in this bill and in order to make the matter very explicit there should be no bar for evidence coming in for the acts of omission and commission on the part of high officials and the Government and that is why this amendment has been put in. So I should rather like to know how this amendment is reacting on the mind of the Chief Minister, whether he is willing to make an express provision in the bill that it would be competent for the Enquiry Commission to go into evidence against them also. Therefore I say that if you please accept this amendment, it will clear the air of suspicion and the public will know where they stand and make it possible for persons willing to give evidence to come forward. Otherwise, Sir, whether right or wrong, an impression is going round that as allegations have been made against this Government that they had been remiss and were guilty of many acts of omission and commission during the Great Calcutta Killing, they might victimise the subordinates if they gave evidence against them and it may not be possible in the absence of this amendment to give any such evidence against them and it is therefore only to make matters clear that I put in this amendment and I would surely await the reactions upon the Chief Minister with respect to this.

Mr. PRESIDENT: Amendment moved that after clause 2 of the Bill, the following be added, namely:—

"It shall also be competent for the said Commission to take evidence for or against the Minister or Ministers, the Commissioner of Police or the Chief Secretary or other high officials and report to the Government as to them may seem fit and proper."

The Hon'ble Mr. H. S. SUHRAWARDY: I oppose this amendment Sir, it is wholly unnecessary. The Commission is entitled to call for and as a matter of fact is going to receive evidence of all kinds and I am perfectly certain that the honourable members opposite will make it their duty to place before the Commission all matters which may go against the Minister or Ministers and the Chief Secretary and the Commissioner of Police and I am equally certain that the Commission will receive such evidence against them, will examine it, sift it and, after all, that will be the main function of the Commission. I think this amendment is wholly unnecessary.

Mr. PRESIDENT: The question before the House is that after clause 2 of the Bill, the following be added, namely:—

"It shall also be competent for the said Commission to take evidence for or against the Minister or Ministers, the Commissioner of Police or the Chief Secretary or other high officials and report to the Government as to then may seem fit and proper."

The motion was put and lost.

Mr. PRESIDENT: The question before the House is that clause 2 stand part of the Bill.

The motion was put and agreed to.

Clause 3.

Mr. PRESIDENT: Clause 3 stand part of the Bill.

Mr. HARIDAS MAJUMDAR: I beg to move that in clause 3 of the Bill, after the word "person" in line 1, the word "either" be inserted, and after the word "evidence" in line 2, the word "in a written note filed" be inserted.

Sir, in introducing the bill the honourable member in charge promised that he would not stand in the way of any amendment which would be thought necessary or which would clarify the ambiguity or remove any ambiguity by clarifying the provisions of the bill. Sir, this is a simple matter and I think this will clarify the clause which would then read thus:—No statement made by a person either in course of giving evidence or in a written note filed shall subject him to etc., etc. This is the amendment which I am proposing and if accepted there will be no ambiguity. I think in view of the importance of this clarification the Hon'ble Minister in charge will be pleased to accept the amendment.

Mr. PRESIDENT: Amendment moved that in clause 3 of the Bill, after the word "person" in line 1, the word "either" be inserted and after the word "evidence" in line 2, the word "in a written note filed" be inserted.

The Hon'ble Mr. H. S. SUHRAWARDY: I fail to understand the significance of this amendment. The statements which are made and which are made on paper or in written documents are not on oath and consequently I just cannot see the utility of this amendment. It is only the statements made before the Commission in reply to a question which a person is required by the Commission to answer and is relevant to the subject matter of the inquiry—it is only in respect of those statements that a person can be accused of giving false evidence. I am sorry, Sir, I do not find any value for this amendment.

Mr. PRESIDENT: Order, order. The question before the House is that in clause 3 of the Bill, after the word "person" in line 1, the word "either" be inserted and after the word "evidence" in line 2, the word "in a written note filed" be inserted.

The question was put and lost.

Mr. SATISH CHANDRA SEN: I beg to move that in the proviso to clause 3 of the Bill, for clause (*a*), the following be substituted, namely:—

"is one which the Commission permits or requires to be made before it by such persons".

The reason of this amendment is that the words "statement made in reply to a question" as in the Bill are rather ambiguous. The idea of giving indemnity has been provided under clause 3 but whether it is also the intention of Government to say that the person who was making a statement before the Commission, whether it is made in reply to a question, or voluntary, whatever it may be, whether that person will get indemnity or not is not clear. And if it is the intention of the House or of the Government that each person making any statement before the Commission should get an indemnity, I think this amendment should be accepted.

Mr. PRESIDENT: Amendment moved that in the proviso to clause 3 of the Bill, for clause (*a*), the following be substituted, namely:—

"is one which the Commission permits or requires to be made before it by such persons".

The Hon'ble Mr. H. S. SUHRAWARDY: The amendment certainly looks plausible but I just fail to see what is wrong with the bill as it is drafted, which, as I have said before, follows absolutely the lines of the R.I.N. Commission. This proviso is taken from the Bill or the Ordinance, as amended, which set up the R.I.N. Commission of Enquiry. After all a person comes and makes a statement and unless he is required to make a statement by the Commission how can he do so?

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Sir, may I say a few words? The point which is not clear in the proviso is this—when a witness comes and gives evidence and is examined the Commission sitting may be writing down evidence; the lawyer puts a question and the witness gives his answer without any specific direction from the Commission; it should be made clear whether the witness in such a case has answered under the direction or permission of the Commission or not. I think that this is the object of my friend. Probably the whole thing will be quite clear if it is interpreted to mean "permitted by the Commission." If that is the interpretation I think there is nothing to worry. But in order to make the point clear expert legal draftsmen might look into this point.

The Hon'ble Mr. H. S. SUHRAWARDY: I think, Sir, this amendment is plausible. But the word "required" here is covered to mean "permits", because a statement made before the Commission which the Commission requires to answer is the same which the Commission permits a person to answer.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, clause 3 gives security to a person giving statement before the Commission. But it will be so if really the legal interpretation of the expression is "permits", and if that security is there. If it is not there then I think hardly many people will go before the Commission.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, may I have your permission to say a few words, before this clause is considered. There are other amendments concerning provisos (*a*) and (*b*) so that if this amendment is considered and disposed of one way or the other, the other amendments may not come at all. Will you kindly refer to my amendments Nos. 11, 12 and 15 in this connection? They are so mixed up that all these things should be considered together.

The Hon'ble Mr. H. S. SUHRAWARDY: Will the honourable member accept the expression "which is required or permitted by the Commission to answer"?

Mr. SATISH CHANDRA SEN: Yes, Sir.

Mr. PRESIDENT: This is a verbal amendment.

Mr. SATISH CHANDRA SEN: Yes, Sir. I accept the suggestion made by the Hon'ble Chief Minister and may I move it, Sir?

Mr. PRESIDENT: If you want to move it I have no objection. It is after all a verbal change.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Shall I move it?

Mr. PRESIDENT: Let Mr. Sen move it.

Mr. SATISH CHANDRA SEN: I beg to move: that the statement required or permitted by the Commission——

Mr. PRESIDENT: Please let me have it in writing.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, may I have some time to consider this amendment, say two minutes?

Mr. PRESIDENT: Shall I adjourn the House for 10 minutes?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, Sir.

Mr. PRESIDENT: The House stands adjourned for 10 minutes.

(*After adjournment.*)

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, we have considered the very valuable amendment that has been moved by Mr. Sen and we suggest the following.

Mr. PRESIDENT: You want to substitute that clause?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, Sir. I beg to move that for clause 3 of the Bill the following clause be substituted, namely—

"Except in a prosecution for giving false evidence, no statement made by a person in the course of giving evidence before the Commission shall subject him to, or be used against him in any civil or criminal proceedings:

Provided that such statement—

(*a*) is one which the Commission permits or requires to be made by such person; and

(*b*) is relevant to the subject matter of the enquiry."

Mr. PRESIDENT: Motion moved that for clause 3 of the Bill the following clause be substituted, namely:—

"Except in a prosecution for giving false evidence, no statement made by a person in the course of giving evidence before the Commission shall subject him to, or be used against him in any civil or criminal proceedings.

Provided that such statement—

(*a*) is one which the Commission permits or requires to be made by such person; and

(*b*) is relevant to the subject matter of the enquiry."

The motion was put and agreed to.

Mr. PRESIDENT: What about the other amendments?

Mr. NAGENDRA NATH MOHALANOBISH: That is what I was going to say.

The Hon'ble Khan Bahadur MOHAMMED ALI: On a point of order, Sir. The character of the clause as it originally stood has been changed now and I submit that all amendments now become out of order.

Mr. PRESIDENT: Not all, but most of the amendments will be out of order.

Mr. LALIT CHANDRA DAS: No. 17 is relevant.

Mr. PRESIDENT: Do I take it, Mr. Mohalanobish, that you are not moving the remaining amendments on the list which relates to this clause, as the clause itself has been changed now?

Mr. NAGENDRA NATH MOHALANOBISH: Having regard to the fact that now the amended clause has been accepted by the House the other amendments standing in my name do not arise.

Mr. PRESIDENT: Yes, Mr. Das.

Mr. LALIT CHANDRA DAS: My amendment is that after clause 3 of the Bill, the following further proviso be added, namely:—

"Provided further that the Government will make adequate arrangements for safeguarding Government servants and others giving evidence before the Commission against victimisation."

Sir, I want to know what reaction does this amendment produce on the Chief Minister.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, what can be the possible reaction! After all if there is any victimisation it will be by Government. How can Government make adequate arrangements for safeguarding Government servants against victimisation? I can only give this assurance to the honourable member that any statement made by a Government servant will be absolutely sacrosanct and on no occasion will Government take steps against him for making these statements.

Mr. LALIT CHANDRA DAS: Thank you, I do not move it. That is enough.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I move that after clause 3 of the Bill, the following new clauses be added, namely:—

Mr. PRESIDENT: This is a new clause that you are suggesting. Is it not, Mr. Mohalanobish? It doesn't really come under clause 3.

Mr. NAGENDRA NATH MOHALANOBISH: Yes, Sir.

Mr. PRESIDENT: Then let me put clause 3 first.

The question before the House is that clause 3 as amended stand part of the Bill.

The motion was put and agreed to.

Mr. NAGENDRA NATH MOHALANOBISH: May I move all the new clauses to be added after clause 3 together, or you will permit me to deal with the new clauses one by one.

Mr. PRESIDENT: You can move all the new clauses at the same time and speak on them too.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, I move that after clause 3 of the Bill, the following new clauses be added, namely:—

"4. Notwithstanding anything contained in the Indian Evidence Act, 1872, or in any other Rule or Law for the time being in force, the Commission shall have full powers to enforce the production, examination, inspection and admission into evidence of all documents and materials as well as all statements or communications

whether written or verbal which the Commission may consider relevant or necessary for their enquiry, and neither the Government nor any of their officers or other persons shall be permitted to claim any privilege in respect thereof on any grounds whatsoever.

5. Notwithstanding the terms of the said Resolution No. 4309P. of the Government of Bengal, the Commission shall have power to ascertain and specify the names of persons who are found to be guilty of negligence of duty or other acts of omission or commission resulting in the failure to prevent, check or suppress the disturbances within the first two days till the military were called in.

6. The Report of the said Commission shall be published in the Calcutta Gazette within two months of its submission to the Government of Bengal."

Would you permit me, Sir, to deal with all these three clauses together, or shall I have to do so one by one?

Mr. PRESIDENT: You can do so together.

Mr. NAGENDRA NATH MOHALANOBISH: With regard to the new clause 4 which I am proposing, the object is obvious, namely, that there should not be any claim of privilege. As honourable members are aware, there are certain communications and documents which Government officers might be asked to produce before the Commission on the ground that they are privileged. You will find in certain sections in the Indian Evidence Act that certain State documents cannot be forced to be produced before any court or tribunal. There are certain communications which also under the rules of the Indian Evidence Act are supposed to be privileged, and unless the party having this privilege waives that right no court or tribunal can force them to produce them. As we have heard, Government is anxious to have a full and thorough enquiry into all these incidents, there must be some documents and communications in the possession of Government——

Mr. PRESIDENT: Mr. Mohalanobish, I have some doubt about the last of your three amendments, namely, No. 6, as to whether it is within the scope of the Bill. Your suggestion is that the Report of the said Commission shall be published, *i.e.*, by Government, in the *Calcutta Gazette* within two months of its submission to the Government of Bengal. But now please look at the object of the Bill, as in the Preamble and the Title. To vest a Commission of Enquiry with certain powers, WHEREAS a Commission of Enquiry has been appointed to enquire into and report on the causes of and the measures taken to deal with the disturbances which occurred in the town and suburbs of Calcutta in the month of August, 1946; and WHEREAS it is expedient to vest the said Commission of Enquiry with powers of a Civil Court." The question of publication of its Report is not one of the duties that can be undertaken by the Commission. The Commission becomes *functus officio* after submission of its Report and this is something which is expected of the Government to do. So I do not think that that part of your amendment comes within the scope of the Bill.

Mr. NAGENDRA NATH MOHALANOBISH: I believe you are not going to give your decision without hearing me, Sir. Shall I not be allowed to explain the necessity of my amendment?

Mr. PRESIDENT: Yes, please do.

Mr. NAGENDRA NATH MOHALANOBISH: With regard to my amendment for a new clause, No. 6, I need not say whether Government or the Commission is to publish the Report——

Mr. PRESIDENT: After its submission to Government.

Mr. NAGENDRA NATH MOHALANOBISH: The publication of the Report will have to be done within two months of the submission of the Report. That does not mean that the Commission should have to publish it after their report is out. After their report they can along with the signing of the report say that it shall be published in the "Calcutta Gazette" and that will be carried into effect. This should not cause any difficulty. As to whether the Commission can or cannot publish the Report in the "Calcutta Gazette," I submit that any court or tribunal having the powers of a civil court as is sought to be made out in the Bill itself, that it should have the powers of a civil court, can publish any paper or documents which they want. Therefore there is no difficulty for the Commission to direct the publication nor is there any difficulty for the Government to publish it. But I submit that when the Report is going to be submitted, the Commission would be perfectly at liberty to direct that the Report shall be published in the "Calcutta Gazette." Therefore, Sir, in that view of the matter, my amendment is within the scope of the Bill. May I proceed, Sir?

Mr. PRESIDENT: Yes, you may.

Mr. NAGENDRA NATH MOHALANOBISH: With regard to my proposed clause No. 4, I was submitting that the object was to prevent any claim of privilege by any party, whether Government or any officer of Government. And if Government is really anxious to have a thorough enquiry into the incidents that the Commission is to go into, I hope the enquiry should not be hampered by any technical rules of evidence. I need not take any more time of the House by elaborating the point and hope that all concerned will readily agree that there should not be any limitations and as I have heard the Hon'ble Chief Minister yesterday to say that the Commission will be free to make any rules about their own procedure and that they will admit evidence and go on with the enquiry in their own way as they think fit, so that there will not be any limitations on their powers—this is exactly what I am trying to clear up by this express provision so that nobody might be under any misapprehension whether the right to claim any privilege still remains. With regard to clause 5, having regard to the object of this Bill it is to my mind rather vaguely expressed. By this clause I want to make it perfectly clear that "the persons who are found to be guilty of negligence of duty or other acts of omission or commission resulting in the failure to prevent, check or suppress the disturbances" should be specifically mentioned so that the people may know who are at fault. I do not think there would be any objection to that on the part of any member of this House to the insertion of this clause. I think it is in the interest of all concerned that the report should be published within a reasonable time and that time is given as two months. I think the Government will be pleased to accept these new clauses.

Mr. PRESIDENT: Amendment moved that after clause 3 of the Bill, the following new clauses be added, namely:—

"4. Notwithstanding anything contained in the Indian Evidence Act, 1872, or in any other Rule or Law for the time being in force, the Commission shall have full powers to enforce the production, examination, inspection and admission into evidence of all documents and materials as well as all statements or communications whether written or verbal which the Commission may consider relevant or necessary for their enquiry, and neither the Government nor any of their officers or other persons shall be permitted to claim any privilege in respect thereof on any grounds whatsoever.

5. Notwithstanding the terms of the said Resolution No. 4309P. of the Government of Bengal, the Commission shall have power to ascertain and specify the names of persons who are found to be

guilty of negligence of duty or other acts of omission or comm sion resulting in the failure to prevent, check or suppress t disturbances within the first two days till the military were call in.

6. The Report of the said Commission shall be published in t 'Calcutta Gazette' within two months of its submission to t Government of Bengal."

Mr. C. MORGAN: On a point of information, Sir. Clause 2 sa "compelling the discovery and production of documents". Does the pro sion in the Evidence Act of 1872 grant similar privilege for calling f documents, and if the Commission claim this privilege, can they do so?

The Hon'ble Mr. H. S. SUHRAWARDY: Under the Evidence Act th can; but it is not proposed to apply the Evidence Act at all, that is t reason why I am opposing the suggestion of Mr. Mohalanobish. The Co mission is going to have full and complete powers and will not be bound l the rules of the Evidence Act under which the privilege can be claime Consequently the suggested clause that "nowithstanding anything contain in the Indian Evidence Act, 1872, or in any other rule or law.....the Commi sion shall have full powers....." is really redundant, because we are not appl ing the Evidence Act at all. We have given full power and we have not sa anything that there is limit by the rules of the Evidence Act.

Mr. NAGENDRA NATH MOHALANOBISH: When you exclude you must include some other provisions to specify that.

The Hon'ble Mr. H. S. SUHRAWARDY: No. When you are giv powers for civil court under sections 480 and 482 of the Cr.P.C. they are n being governed by the Indian Evidence Act. We have made that very cle that they will have all the powers of a civil court for the purpose of receivin documents, administering oaths, compelling discovery and production documents, etc.

Mr. LALIT CHANDRA DAS: What about the Evidence Act?

The Hon'ble Mr. H. S. SUHRAWARDY: You can take it from me th it will not apply.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Sir, I think th Commission has been given the powers of a civil court for certain specifi purpose and in view of the statement of the Hon'ble Minister that th Evidence Act will not apply this amendment is, I think, redundant.

Mr. NAGENDRA NATH MOHALANOBISH: Sir, may I reply?

Mr. PRESIDENT: You cannot reply. You have no right of reply.

Mr. NAGENDRA NATH MOHALANOBISH: Then can I make statement?

Mr. PRESIDENT: You cannot make a statement. You can answer th points raised by Mr. Morgan.

Mr. NAGENDRA NATH MOHALANOBISH: All right, Sir. Now in the absence of any provision in this Bill about the exclusion of th Indian Evidence Act, it will apply. The assurance of the Chief Ministe will not help us in the least after the Bill is passed into law. When th Commission is going to be empowered with the powers of a civil court the whenever the question of discovery, inspection mentioned in clause 2 wil arise, anybody so inclined will be entitled to put forward the privilege unde the Evidence Act. It is said that it will not apply then; just now we hav heard that in clause 3 they have put in the question of relevancy. Now, Sir who is to judge the question of relevancy and under what law? Therefor by implication the Evidence Act will apply.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I think I did not make myself clear. We are not setting up a civil court. If we did that then the Evidence Act would apply. We have given certain powers which are normally exercisable by a civil court and we have given certain other powers so that the Commission might come to a finality. I am afraid that the honourable member will have to accept my statement that the Evidence Act will not apply. It is a statement which is made with the best legal advice of the Government.

Mr. PRESIDENT: The question before the House is that after clause 3 of the Bill, the following new clause be added, namely:—

"4. Notwithstanding anything contained in the Indian Evidence Act, 1872, or in any other Rule or Law for the time being in force, the Commission shall have full powers to enforce the production, examination, inspection and admission into evidence of all documents and materials as well as all statements or communications whether written or verbal which the Commission may consider relevant or necessary for their enquiry, and neither the Government nor any of their officers or other persons shall be permitted to claim any privilege in respect thereof on any grounds whatsoever."

The motion was put and lost.

Mr. PRESIDENT: The question before the House is the motion of Mr. Nagendra Nath Mohalanobish to add a new clause, namely, clause 5 which reads:—

"5. Notwithstanding the terms of the said Resolution No. 4309P. of the Government of Bengal, the Commission shall have power to ascertain and specify the names of persons who are found to be guilty of negligence of duty or other acts of omission or commission resulting in the failure to prevent, check or suppress the disturbances within the first two days till the military were called in".

The motion was put and lost.

Mr. PRESIDENT: The question before the House is the motion of Mr. Nagendra Nath Mohalanobish to add a new clause, namely, clause 6 which reads:—

"6. The Report of the said Commission shall be published in the 'Calcutta Gazette' within two months of its submission to the Government of Bengal."

The motion was put and lost.

Preamble.

Mr. PRESIDENT: Preamble stand part of the Bill.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I move that in the Preamble to the Bill, for the word "suburbs" the word "neighbourhood" be substituted.

The purpose of this amendment I have pointed out before. It is intended to enlarge the territorial jurisdiction of the Commission so that they may take cognizance of incidents which took place at places just contiguous to Calcutta.

Mr. PRESIDENT: Amendment moved that in the Preamble to the Bill, for the word "suburbs" the word "neighbourhood" be substituted.

The question before the House is that in the Preamble to the Bill, for the word "suburbs" the word "neighbourhood" be substituted.

The motion was put and agreed to.

Mr. PRESIDENT: The question before the House is that the Title and the Preamble as amended stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I beg to move that the Bill as settled in the Council be passed.

Mr. LALIT CHANDRA DAS: On a point of order, Sir. There have been several amendments made and accepted on the floor of the House. As such can the third reading of the Bill be moved the same day?

Mr. PRESIDENT: Not many. The main amendment was an agreed one practically.

Mr. NAGENDRA NATH MOHALANOBISH: Not exactly. Anyway it dosen't matter.

Mr. PRESIDENT: The question before the House is that the Bill as settled in the Council be passed.

The motion was put and agreed to.

Mr. PRESIDENT: The next item is the Government Resolution under section 103 of the Government of India Act, 1935. I presume that all honourable members have by this time received copies of the Resolution which were circulated, I believe, day before yesterday.

The Hon'ble Khan Bahadur ABDUL GOFRAN: I do not want to move that Resolution.

Mr. PRESIDENT: You don't want to move it? Very well. Will the Honourable Leader of the House please tell me what will be the business for Monday?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The Murshidabad (Amendment) Bill will be introduced on Monday. With your permission, Sir, I shall also move that it be taken into consideration and passed on that very day. The Opposition has agreed to this course. As a matter of fact the Bill had already passed both Houses last time, but on account of certain changes made here in this House to that Bill, it could not be taken up to the Lower House again, and it eventually lapsed, section 93 having intervened in the meantime.

Mr. PRESIDENT: Mr. Das, has there been such an understanding in regard to this Bill that it will be introduced on Monday and also passed?

Mr. LALIT CHANDRA DAS: Yes, Sir. That is the understanding.

Mr. PRESIDENT: Very well. The House stands adjourned till 11 a.m. on Monday, the 23rd September, 1946.

Adjournment.

The Council then adjourned till 11 a.m. on Monday, the 23rd September, 1946.

Members absent:

The following members were absent from the meeting of the Council held on the 26th April, 1946:—

(1) Mr. L. P. S. Bourne,
(2) Khan Bahadur Syed Abdur Rashid Chowdhury,
(3) Mr. Kamini Kumar Dutta,
(4) Khan Bahadur Sk. Fazal Ellahi,
(5) Mr. Mangturam Jaipuria,
(6) Alhaj Khan Bahadur Sk. Muhammad Jan,
(7) Mr. Humayun Z. A. Kabir,
(8) Maulana Muhammad Akram Khan,
(9) Mr. Syed Abdul Majid,
(10) Mr. T. B. Nimmo,
(11) Dr. Kumud Sankar Ray, and
(12) Mr. F. C. J. Steuart.

BGP-47/6-9A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 24.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 23rd September 1946, at 11 a.m., being the Twenty-fourth day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Sir BIJOY PRASAD SINGH ROY, K.C.I.E.) was in the Chair.

QUESTIONS AND ANSWERS

Asansol Electric Supply Company, Limited.

112. Rai Bahadur JOGENDRA NATH ROY: Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state—

(*a*) whether it is a fact that the Asansol Electric Supply Company, Limited, supplies energy to the town of Asansol;

(*b*) if so, what is the rate at which the supply is made;

(*c*)(*i*) the rate at which the said Electric Supply Company receives bulk supply from the Dishergarh Power Supply Company, Limited, and

(*ii*) the cost of distributing the energy per unit; and

(*d*) whether it is a fact that the Asansol Electric Supply Company, Limited, only distributes the energy through transformers?

MINISTER in charge of the DEPARTMENT of COMMERCE, LABOUR and INDUSTRIES (the Hon'ble Mr. Shamsuddin Ahmed): (*a*) Yes.

(*b*) A schedule of rates charged for different classes of consumers is attached (Schedule I).

(*c*) (*i*) A schedule of rates at which the Asansol Electric Supply Company, Limited, receives bulk supply from the Dishergarh Power Supply Company, Limited, is attached (Schedule II).

(*ii*) A schedule setting out the cost of management and distribution of energy in annas per unit purchased and annas per unit sold for the years 1944 and 1945 is attached (Schedule III)

(*d*) The Asansol Electric Supply Company, Limited, receives energy in bulk at high pressure and transforms it down to medium and low pressure for distribution. There are, therefore, transformer losses as well as distribution losses to be taken into account.

Statement referred to in reply to question No. 112.

SCHEDULE I.

RATES OF CHARGE FOR THE SUPPLY OF ENERGY AT ASANSOL.

	Rate per unit in annas.
I. For Domestic Purposes—	
(1) For lights only—	
Gross rate	... 7·0
Rebate	... 1·0
Nett rate	... 6·0

Minimum charge of Rs.60 per annum per K.W. of the rated wattage of lamps installed.

(2) For fans only—

Gross rate	...	6·0
Rebate	...	1·0
Nett rate	...	5·0

Minimum charge of Rs.40 per annum per K.W. of the rated input of fans installed.

(3) For lights and fans combined—

Gross rate	...	6·5
Rebate	...	1·0
Nett rate	...	5·5

Minimum charge of Rs.50 per annum per K.W. of the rated wattage of lamps and input of fans installed.

(4) For heating, cooking and refrigerating—

Gross rate	...	3·25
Rebate	...	0·5
Nett rate	...	2·75

(5) For motors not exceeding 1 B.H.P.—

Gross rate	...	4·5
Rebate	...	1·0
Nett rate	...	3·5

Minimum charge of Rs.24 per annum per rated B.H.P. of all the motors installed.

(6) For motors exceeding 1 B.H.P.—

Gross rate	...	4·0
Rebate	..	1·0
Nett rate	...	3·0

Minimum charge of Rs. 24 per annum per rated B.H.P. of all the motors installed.

Rate per unit in annas.

II. For Industrial Purposes—

(1) Motors up to 4 B.H.P.—

Gross rate	...	3·0
Rebate	...	0·5
Nett rate	...	2·5

Plus Rs.4 per rated B.H.P.

(2) Motors exceeding 4 B.H.P. but not exceeding 15 B.H.P.—

Gross rate	...	2·5
Rebate	...	0·5
Nett rate	...	2·0

Plus Rs.4 per rated B.H.P.

(3) Motors above 15 B.H.P.—

Gross rate	...	2·25
Rebate	...	0·5
Nett rate	...	1·75

Plus Rs.4 per rated B.H.P.

Provided that if the consumption per month exceeds 50 units per rated B.H.P. of all the motors installed and if the motor or motors are not run between the hours of 5 p.m. and 12 p.m. no standing charge (Rs.4 per rated B.H.P. of all the motors installed) will be levied. No rebate of any kind will be allowed if the motors are used at any time between the hours of 5 p.m. and 12 p.m.

III. Energy Supplied for Charging Accumulators—

	Rate per unit in annas.
Gross rate	... 4·5
Rebate	... 1·0
Nett rate	... 3·5

IV. Energy Supplied for Mixed Domestic and Cinema Purposes—

For cinemas with an actual consumption of not less than 6,000 units in each calendar year, energy may be supplied at the following rate:—

Annas four and pies six per unit of current metered, with a minimum annual payment for 6,000 units, subject to a rebate of anna one per unit under usual conditions imposed for the grant of rebate.

The rates shown in the Rate Book have since been amended and the rates shown under I, II above are in accordance with the latest information obtained.

SCHEDULE II.

RATE OF CHARGES MADE BY THE DISHERGARH POWER SUPPLY COMPANY, LIMITED, FOR THE SUPPLY OF ENERGY IN BULK TO THE ASANSOL ELECTRIC SUPPLY COMPANY, LIMITED.

Rates for electrical energy consumed in a calendar year—

	Rate in pies per unit.
On first 200,000 units	. . 14·0
On second 200,000 units	... ... 13·0
On all energy in excess of 400,000 units	... 12·0

Less 2 pies per unit as rebate for payment within 21 days.

Note.—The Dishergarh Power Supply Company, Limited, enhanced their rates of charge in 1944. The revised rates which were given effect to from April, 1944, are shown above.

SCHEDULE III.

YEAR ENDING 31ST DECEMBER, 1944.

(1) Number of units purchased—494,372.

(2) Number of units sold—422,328.

(3) Total amount actually paid in respect of energy purchased—Rs.24,068-5-0.

(4) Cost value per unit purchased in annas (3) ÷ (1)—0·7789.

(5) Cost value per unit sold in annas (3) ÷ (2)—0·9118.

(6) Management and distribution cost (all costs other than purchase of energy in bulk)—Rs.68,855-10-3.

(7) Management and distribution cost in annas per unit purchased (6) ÷ (1)—2·2284.

(8) Management and distribution cost in annas per unit sold (6) ÷ (2)—2·6086.

(9) Total cost per unit purchased in annas (4) ÷ (7)—3·0072.

(10) Total cost per unit sold in annas (5) ÷ (8)—3·5204.

YEAR ENDING 31ST DECEMBER, 1945.

(1) Number of units purchased—578,714.

(2) Number of units sold—508,977.

(3) Total amount actually paid in respect of energy purchased—Rs.29,043-3-0.

(4) Cost value per unit purchased in annas (3) ÷ (1)—·8030.

(5) Cost value per unit sold in annas (3) ÷ (2)—·9130.

(6) Management and distribution cost (all costs other than purchase of energy in bulk)—Rs.66,829-2-9.

(7) Management and distribution cost in annas per unit purchased (6) ÷ (1)—1·8477.

(8) Management and distribution cost in annas per unit sold (6) ÷ (2)—2·1008.

(9) Total cost per unit purchased in annas (4) ÷ (7)—2·6507.

(10) Total cost per unit sold in annas (5) ÷ (8)—3·0138.

Development of the indigenous system of medicine in Bengal.

110. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state whether any well-considered plan has been prepared by the Government of Bengal for developing the indigenous system of medicine in Bengal?

(*b*) Is it a fact that a resolution to develop indigenous drug industry moved by Mr. Nur Ahmed, M.L.C., in 1944, was adopted by the Council?

(*c*) If so, why no effect has been given to the same?

The Hon'ble Mr. SHAMSUDDIN AHMED: (*a*) No.

(*b*) Yes.

(*c*) It was considered that the best way of implementing the resolution—and as an essential prerequisite to the initiation of any scheme for an ordered development of the drug industry—was to undertake a comprehensive survey into the requirements of the various drugs consumed in the Province and the possibilities of their development with particular reference to availability of raw materials, labour and technical supervision. With this objective in view a conference of local manufacturers was convened last year so as to concentrate attention on the difficulties that confronted them in developing the industry and how best these could be combated. In pursuance of the recommendations of the conference it is now in contemplation to set up a committee representative of the local drug industry to investigate into various matters confronting the industry and to make recommendations on the possibilities of establishing new lines of manufacture with a view to making the industry self-sufficient in its basic requirements.

Mr. NUR AHMED: Will the Hon'ble Minister——

Mr. PRESIDENT: Order, order. With regard to the held-over questions it is desirable that the Hon'ble Ministers should inform the Council Department that they propose to answer those questions on a particular day, otherwise copies of those questions cannot be circulated to members to enable them to put supplementary questions. At least one hour before the scheduled time the Council Department should be informed that the Hon'ble Ministers will answer the questions.

Mr. NUR AHMED: Arising out of (*c*) will the Hon'ble——

(The Hon'ble Mr. Shamsuddin Ahmed rose to speak.)

Mr. PRESIDENT: Mr. Nur Ahmed, will you please allow the Hon'ble Minister to speak first.

The Hon'ble Mr. SHAMSUDDIN AHMED: Sir, I request that, as I have not got the file with me, I may reply to all the supplementaries tomorrow. The question may be held over or the supplementaries may be answered by me tomorrow.

Mr. PRESIDENT: All right. Supplementary questions may be answered tomorrow by the Hon'ble Minister (Mr. G. MORGAN: Not tomorrow—tomorrow is a holiday—next day)——Yes, next day and the copies of the question will be circulated to the members in time.

The Calcutta Rent Bill, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, before you take up the regular proceedings on the agenda, I beg leave to apply for extension of time for the submission of the report of the Select Committee of the Calcutta Rent Bill, 1946, up to the 30th of November as the members of the Select Committee wanted that the meeting should be postponed for a longer period because the honourable members were not in a position to apply their minds to the provisions of the Bill. So it has been necessary to ask for further time.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: Arising out of this question may I say a few words We have seen a number of comments in all kinds of newspapers that a great deal of *zulum* is being committed by the landlords and owners of houses upon their tenants. I know personally of many such instances. So, I would like to know whether Government have anything in contemplation to put a stop to all these hardships.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The Select Committee are considering all these things. But as these are very abnormal circumstances the members have been unable to meet to consider this Bill. If there had been no such difficulties the Bill would have been passed even through the Assembly by this time.

Mr. PRESIDENT: When the Ordinance is going to expire?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On the 30th September, 1946. It has already been decided that a Government Order will be issued until we are able to get through this Bill. But we must be ready to bring the Bill in the next session.

Sir MUHAMMAD AZIZUL HAQUE, Khan Bahadur: I take it that the intention of Government is to continue the present Bill and they are issuing the orders only to see that there is no hiatus in the meantime. Sir, in view of the urgency of the matter I would request the Government to expedite the matter. I have seen a man paying Rs. 10 as house rent being demanded Rs. 50 and on his inability to pay the enhanced rent he is being put to all sorts of hardships. So, all these things should be considered by Government at the time of issuing the Ordinance. I hope the Government will consider the desirability of introducing some of these new measures in the Ordinance to be given effect to immediately.

The Hon'ble Khan Bahadur MOHAMMED ALI: Sir, may I clarify the position a little more. It is the intention of Government to include in the proposed Ordinance all the measures that have been decided and examined by the Select Committee and also some matters which are useful but have not been deliberated upon by the Select Committee yet and the *status quo* will continue.

Mr. PRESIDENT: The question before the House that the time for the submission of the Select Committee's Report on the Calcutta Rent Bill, 1946, be extended till the 30th November, 1946. Is it the pleasure of the House to grant this extension of time?

Several members: Yes, yes.

Mr. PRESIDENT: So the time is extended.

The Murshidabad Bill, 1946.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to introduce the Murshidabad Bill, 1946, which has been published in the Gazette already. I then move that the Bill be taken into consideration.

Several members: We have not got the Bill, Sir.

Mr. PRESIDENT: It is being circulated just now.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Bill be taken into consideration.

Mr. PRESIDENT: Motion moved that the Murshidabad Bill, 1946, be taken into consideration.

The question before the House is that the Murshidabad Bill, 1946, be taken into consideration.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 1 stand part of the Bill.

The question before the House is that clause 1 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 2 stand part of the Bill.

The question before the House is that clause 2 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 3 stand part of the Bill.

The question before the House is that clause 3 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 4 stand part of the Bill.

The question before the House is that clause 4 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 5 stand part of the Bill.

The question before the House is that clause 5 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Clause 6 stand part of the Bill.

The question before the House is that clause 6 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: Preamble and the Title stand part of the Bill.

The question before the House is that the Preamble and the Title stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I beg to move that the Murshidabad Bill, 1946, as settled in the Council be passed.

Mr. PRESIDENT: Motion moved that the Murshidabad Bill, 1946, as settled in the Council, be passed.

The question before the House is that the Murshidabad Bill, 1946, as settled in the Council, be passed.

The motion was put and agreed to.

Mr. PRESIDENT: Now as regards the next item, namely, the Howrah Improvement Bill, no message has yet been received from the other place. So it cannot be taken up today.

Mr. BANKIM CHANDRA DATTA: It is a great pity, Sir.

Mr. PRESIDENT: The House stands adjourned till 11 a.m. on Wednesday.

Adjournment.

The Council adjourned till 11 a.m. on Wednesday, September 25, 1946.

Members absent:

The following members were absent from the meeting of the Council held on the 23rd September 1946:—

(1) Mr. L. P. S. Bourne,
(2) Khan Bahadur Syed Abdur Rashid Chowdhury,
(3) Mr. Hamidul Huq Chowdhury,
(4) Mr. Kamini Kumar Dutta,
(5) Khan Bahadur Sk. Fazal Ellahi,
(6) Mr. Latafat Hossain,
(7) Mr. Mangturam Jaipuria,
(8) Alhaj Khan Bahadur Sk. Muhammad Jan,
(9) Mr. Humayun Z. A. Kabir,
(10) Maulana Muhammad Akrum Khan,
(11) Mr. Syed Abdul Majid,
(12) Mr. Nagendra Nath Mohalanabish,
(13) Mr. T. B. Nimmo,
(14) Khan Bahadur Mukhlesur Rahman,
(15) Dr. Kumud Sankar Roy,
(16) Mr. F. C. J. Steuart, and
(17) Mr. Md. Taufiq.

BGP-47/8-10A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

First Session, 1946—No. 25.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 25th September, 1946, at 11 a.m., being the 25th day of the First Session of 1946, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Mr. ABDUL HAMID CHOWDHURY, J.P.) was in the Chair.

QUESTIONS AND ANSWERS

Re-excavation of "Mirer Khal" in Tippera.

113. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Department of Irrigation and Waterways be pleased to state—

(*a*) whether to make communication easy for all for most part of the year and for facilitating trade between *bazars* Companyganj, Mohespur and Kuti within the district of Tippera as also for irrigating the surrounding lands and improving the health of the locality Government will be pleased to take up the re-excavation of the *khal* known as "Mirer Khal" which issuing from river Gumti at a point close to Companyganj *bazar* falls to the river Burigang at a point in village Majur which is within the Sadar subdivision of the district, the length of the *khal* being 2½ miles only;

(*b*) whether he is aware that this *khal* is a very ancient and historical *khal* and now dries up and remains dry with cess-pools and stagnant water here and there for most part of the year causing great inconvenience to the public and the traders and spreading malaria to the surrounding villages; and

(*c*) if the Government will take any action in the matter; if so, what?

MINISTER in charge of the DEPARTMENT of IRRIGATION and WATERWAYS (the Hon'ble Khan Bahadur Abul Fazal Muhammad Abdur Rahman): (*a*) A proposal for re-excavation of the Mirer Khal has already been investigated. Re-excavation may improve navigation facilities between the *bazars* to a certain extent. But *aman* paddy, which is grown in the *bil* through which the *khal* passes, is likely to be damaged by inundation caused by the increased flow of the Gumti flood water which would be brought in if the channel is enlarged.

(*b*) Yes, but malaria is not likely to disappear or even be appreciably alleviated by re-excavation of the *khal* only as the latter passes through the *bil* where there are cess-pools and local depressions.

(*c*) In view of the replies to (*a*) and (*b*) it is not considered necessary to take any further action in the matter.

Mr. LALIT CHANDRA DAS: Regarding inundation, arising out of (*a*), was it considered if there would still be inundation even if embankments were put up on both sides?

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: Will the honourable member please repeat his question?

Mr. LALIT CHANDRA DAS: Regarding inundation, arising out of answer (*a*), if there be embankments on both sides would there still be any chance of inundation on both sides of the Khal?

The Hon'ble Khan Bahadur ABUL FAZAL MUHAMMAD ABDUR RAHMAN: On enquiry it has transpired that Babu Surendranath Chaudhuri of Tarash, who is the main initiator of the scheme, is an influential and rich man of the locality and is the owner of the Kuti bazar and Government do not consider it desirable to have the *Mirer Khal* re-excavated only in the interest of that gentleman.

Mr. DEPUTY PRESIDENT: Now I am taking up held-over question No. 110.

Any honourable members willing to put any supplementary questions? (No supplementary questions were put). I take it then there is no supplementary question on this.

Adjournment Motion.

Mr. HARIDAS MAJUMDAR: Sir, I have an adjournment motion——

Mr. DEPUTY PRESIDENT: Yes, I am coming to that. I have received notice of an adjournment motion from Mr. Haridas Majumdar that this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the situation at Dacca and its——

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, has consent to this motion been given? Because if not, in that case, I submit that the adjournment motion should not be read out.

Mr. HARIDAS MAJUMDAR: Yes, that is the usual practice.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, if the consent has not been given—if consent has been withheld by the Hon'ble President—then it cannot be read out——

Mr. HARIDAS MAJUMDAR: Consent has not been withheld.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, the procedure is that consent is given by the Hon'ble President before admissibility is discussed here and before objection is called for in this House. If the Hon'ble President, sitting in his room, withholds his consent on the ground that this matter is not of urgent public importance, then it is here *ab initio*.

Mr. DEPUTY PRESIDENT: I am afraid the Hon'ble Chief Minister is labouring under some misconception. The practice here is that on receipt of the notice of an adjournment motion, the Hon'ble the President may consider the question of admissibility or otherwise sitting in his room and announce his decision on the floor of the House. But sometimes it is felt necessary that both sides should be heard before the question is finally decided. Regarding this particular notice, most probably it has not been put up before the Hon'ble President. At any rate, he has not passed any order on this matter. So I am considering the question of admissibility and in doing so I think I should read the whole adjournment motion so that the honourable members of the House may know on what point this adjournment motion is sought to be moved. So I read out the motion:

"That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the situation at Dacca and its neighbourhood where murder and arson have become rampant: a four-year girl has been stabbed on the 21st instant; well-armed *goondas* have raided Hindu houses at Jatrabari on the 20th instant, murdered Abinash Rajbangsi and another and burnt Hindu houses; a Scheduled Caste Hindu fisherman has been fatally stabbed in Indira; one Sub-Inspector fatally stabbed in night train and thrown out on the same date."

Before I announce my decision on the question of admissibility I want to place one or two things before the Government, and as a matter of fact before the whole House for their consideration and I would also like the honourable mover to consider if a motion like this should be moved at a time when the situation is very grave and feelings are very strained. I should like him to consider whether discussion of a motion like this would improve the situation. There is another thing. Though I have not officially received any intimation as to the prorogation of the House it is expected that the House is going to be prorogued very soon. So it may be that, even though the motion may be allowed, there may not be any time for discussion of the same. On the other hand I would like to hear if Government are prepared to make a statement on this matter in which case the honourable mover of the motion may not press his motion at all.

Mr. HAMIDUL HUQ CHOWDHURY: Before the Deputy President appeals to the good sense of the members of the House to consider the adjournment motion that has been given notice of, may I know whether he has considered the question whether the member has the right to move the motion or not. Under rule 97 of the Bengal Legislative Council Procedure Rules, consent of the President is essential before a member is allowed to move such a motion. Then the Chair will have to see, after the consent has been given, whether the motion is in order and then to find out if the member has the leave of the House to move the same.

Mr. DEPUTY PRESIDENT: I have already told the House that I have not yet announced my decision.

Mr. HAMIDUL HUQ CHOWDHURY: Then why are you appealing to the House, Sir?

Mr. DEPUTY PRESIDENT: To ascertain the views of the House.

Mr. HARIDAS MAJUMDAR: I have simply prayed for leave to move the motion and if the Government can satisfy me that the measures taken by them are adequate I may withdraw the motion.

The Hon'ble Khan Bahadur MOHAMMED ALI: First get the leave of the House to move the motion and then withdraw.

Mr. DEPUTY PRESIDENT: So far as the form of the motion is concerned I find it in order. So I would like to know if there is any objection to the motion being moved.

The Hon'ble Mr. H. S. SUHRAWARDY: I have objection, Sir, and the reasons are in the first place, that, with reference to the incidents referred to in the motion they are 4 or 5 days old and they could have been brought before the House earlier and placed before the House for discussion, and secondly, incidents like this are taking place almost every day. Everybody knows this and also that Government are taking steps to combat the same and that the incidents have been continuing for some considerable time now. It is not a new thing. It is going on for a considerable time and all that I can say before the House is that I propose going to Dacca on Friday with the Hon'ble the Leader of the Opposition and certain other Congress and Muslim League members.

Mr. HARIDAS MAJUMDAR: Sir, in view of the assurance that the Hon'ble Chief Minister is going to Dacca and will enquire into the matter and hoping that something tangible will ensue out of his and certain Congress and Muslim League leaders' visit to Dacca I withdraw my motion.

The Hon'ble Khan Bahadur MOHAMMED ALI: The House has not been asked for nor has it given any leave to move the motion and so the question of withdrawal does not arise.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Haridas Majumdar is trying to make the best of a bad job. Let him have that satisfaction. To this adjournment motion in its present wording neither the President could have given his consent nor the House leave. Anyhow let Mr. Majumdar have the satisfaction that the House has granted him permission to withdraw the motion.

The Hon'ble Khan Bahadur MOHAMMED ALI: I did not object to anything which Mr. Haridas Majumdar said except to the expression "withdraw". The question of withdrawal of the adjournment motion does not arise because he did not get the leave of the House to move his motion; in other words, the motion was not introduced nor was there any likelihood of the leave being granted.

Mr. HARIDAS MAJUMDAR: That is a different thing, but I can withdraw my motion at this stage.

Message from the Bengal Legislative Assembly.

The SECRETARY: (Dr. S. K. D. Gupta), Sir, the following Message has been received from the Bengal Legislative Assembly:—

"That the Calcutta Improvement (Howrah Amendment) Bill, 1946, as passed by the Bengal Legislative Assembly at its meeting held on the 7th August, 1946, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

Sd. N. AMIN,
Speaker, Bengal Legislative Assembly."

22nd September, 1946.

Sir, herewith I lay on the table the Calcutta Improvement (Howrah Amendment) Bill, 1946, as passed by the Bengal Legislative Assembly, on the 7th August, 1946.

Mr. LALIT CHANDRA DAS: Will a copy of the Bill be circulated to members now?

Mr. DEPUTY PRESIDENT: Yes, copies are being circulated.

Non-Official Bills.

Mr. DEPUTY PRESIDENT: The House will now take up consideration of non-official Bills.

The Usurious Loans (Bengal Amendment) Bill, 1944.

Mr. NUR AHMED: I beg to move that the Usurious Loans (Bengal Amendment) Bill, 1944, as reported by the Select Committee, be taken into consideration.

Sir, this is a very simple amending Bill. This Act was passed in 1918 with a view to give relief to the debtors and in suitable cases by the courts. It has however been found by very important bodies, such as the Central Banking Enquiry Committee, the Bengal Banking Enquiry Committee and also by the Industrial Commission, that the Act has remained practically a dead letter owing to the inherent defect in the provision of section 3 of that Act. In section 3(*a*) there are two conditions which have to be fulfilled before a court can exercise the power given to it. That section lays down that the two conditions must be present—one condition is that the rate of interest should be excessive and not only that but that the transaction between the parties should be substantially unfair. The word "and" has created all this difficulty, and there is also the word "may", as in that case the court may or may not exercise all or any of the powers

enumerated in that section. The Bengal Banking Enquiry Committee as well as the Industrial Commission recommended this change and said that this section should be amended and by this simple amending Bill as settled by the Select Committee the word "or" in place of "and", between the expressions "excessive rate of interest" and "substantially unfair" has been substituted, and in place of the words "may exercise" the words "shall exercise" have been substituted. This, Sir, is the substance of the amendments and having regard to the fact that a long time has passed since that Act was passed and in view also of the passing of the Bengal Money-lenders Act of 1940, there is no objection to passing this Bill. The question may arise as to why is the amendment necessary after the passing of the Bengal Money-lenders Act of 1940. It appears that that Act does not deal with commercial transactions; it only deals with loans amongst the agriculturists. Whereas the Usurious Loans Act applies to all sorts of transactions including commercial loans also and it is therefore necessary that the courts should be given the power to deal with excessive rates of interest or where the transaction is substantially unfair to re-open the account between the parties and to give other reliefs to the debtor, in appropriate cases. Reduced rate of interest on commercial loans is a *sine qua-non* for the rapid progress of trade and commerce among the people of Bengal. It is an admitted fact that in Bengal rate of interest on commercial loans is much higher as compared with Bombay. This is the reason why the Bengalees are backword in commerce, trade and industries.

So there is a necessity for such an amendment and such amended Bills are already enacted in other provinces. With these few words I commend my motion to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Motion moved that the Usurious Loans (Bengal Amendment) Bill, 1944, as reported by the Select Committee be taken into consideration.

The Hon'ble Mr. JOGENDRA NATH MANDAL: Mr. Deputy President, Sir, we have no objection to the consideration of this amending Bill, but, Sir, no notice was given for submitting amendments to this amending Bill. So Government could not submit the necessary amendments to the Bill, and for this reason I would request you and, through you, the honourable mover of the Bill, that some time may be given to us and the Bill may be deferred to a further date for consideration. As no notice was given Government could not examine it and apply their mind properly and Government consider that some amendments should be necessary. Therefore it is fair and proper that along with this amendment other amendments should be incorporated and in order to do so Government require some time and I would request the honourable mover to defer the consideration of the Bill.

Mr. NUR AHMED: Notice of this motion was given by me about four months ago and I do not know why this matter was not communicated before in due time to the Hon'ble Minister. There is convention in this House that these amendments could be incorporated at the time of third reading which may be postponed and let us proceed with the consideration motion now.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: No, Sir, amendments could be taken up at the time of second reading and not at the time of third reading. Government is permitted to submit amendments during the second reading and the second reading could be postponed for that purpose. In the circumstances we hope the honourable mover will agree to defer the Bill as suggested.

Mr. DEPUTY PRESIDENT: What is your opinion, Mr. Nur Ahmed? Are you agreeable?

Mr. NUR AHMED: Yes, Sir.

Mr. DEPUTY PRESIDENT: Now, will the Leader of the House please suggest some date by which the notice of amendments is to be submitted?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: As the House is going to be prorogued shortly I think 30th October, 1946, may be fixed as the date for submission of amendments.

Mr. DEPUTY PRESIDENT: May I take it that the House is agreeable to that proposal?

Mr. LALIT CHANDRA DAS: Yes.

Mr. DEPUTY PRESIDENT: Order, order. The question before the House is that The Usurious Loans (Bengal Amendment) Bill, 1940, as reported by the Select Committee be taken into consideration.

The motion was put and agreed to.

Mr. DEPUTY PRESIDENT: Notices of amendments are to be submitted by the 30th October, 1946.

The Bengal Court of Wards (Amendment) Bill, 1940.

Mr. NUR AHMED: Sir, I beg to move that the Bengal Court of Wards (Amendment) Bill, 1940, as reported by the Select Committee be taken into consideration.

Sir, this amending Bill is necessary for making some very important changes in the Act which was passed in 1879. Sir, in that Act as it stands now, there are many defects and its provisions are all limited and narrow. Sir, since then responsibility of the state has been widened and it is necessary that the state should take up responsibility for the protection of its citizens' property. The word "estate", in the Act of 1879, in its present definition does not cover other properties that the Court of Wards may take charge of. Unless it be an estate, no immovable property and other property even if it is a big tenure fetching about a lakh of rupees of income a year, or other immoveable town property whose income may be lakhs and lakhs would be taken over by the Court of Wards as the Act stands now. Sir, seeing this difficulty, other Provinces, such as the Punjab, Central Provinces, Bombay, have made necessary changes in definitions and the word "estate" has been substituted by the word "immoveable property". This amending Bill as settled in the Select Committee does not go so far as those Acts but has confined itself to add to the list of "estate" tenures and interests in land except the interests of the cultivating *raiyat*. Sir, these changes are very necessary. And this amending Bill also replaces the word "disqualified" occurring in section 6 of the Act and in other sections of the Act by other suitable words. This word "disqualified" is repugnant to many and if not repugnant at least it is very jarring to the ears and there are other consequential amendments in this amending Bill. I recommend this motion for the acceptance of the House.

Mr. DEPUTY PRESIDENT: Order, order. Motion moved that the Bengal Court of Wards (Amendment) Bill, 1940, as reported by the Select Committee be taken into consideration.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, Government have already accepted the principles of the Bill when they agreed to the Bill being committed to the Select Committee and the Select Committee Report is now before us. But it is rather a long report; I would certainly accept the motion for consideration but then I would request my honourable friend to give us time to submit amendments so that we may consider the various provisions carefully and submit any amendments that may be thought necessary. Let time be given till 30th of October

Mr. ABDULLAH-AL-MAHMOOD: Sir, I find in this amending Bill that some clauses in the original Act are going to be replaced as a result of the report of the Select Committee to whom this Bill was referred. Of course it is an important matter requiring detailed consideration by Government. I have heard the Hon'ble Minister say that he accepts the motion for consideration, but then he asks for time to put in amendments by the 30th of October. I feel that when an amending Bill is moved for consideration, before a speech is made by the mover, I think the proper course for the Hon'ble Minister would be to move an amendment that the Bill be taken into consideration at a later date and that Government be given time to submit amendments by such and such a date. Unless that point is first of all accepted then it may be presumed that the Bill should be taken up for consideration then and there. When time is only asked for, that is not an amendment; it should not be done by way of an amendment. Only it is a suggestion that the mover of the Bill be asked to agree to your suggestion——

Mr. DEPUTY PRESIDENT: What is your point? Are you speaking on the motion for consideration of the Bill or on the amendment?

Mr. ABDULLAH-AL-MAHMOOD: On the amendment: I think the amendment of the Honourable the Leader of the House would be that the Bill be taken up for consideration after giving full opportunity to Government for amendments; unless it be in this form, then if the motion for consideration is moved, then it should be presumed that the Bill will be taken up for consideration here and now.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, the usual practice here has been that a certain date is fixed within which amendments to a certain Bill must be given notice of. No member took this amending Bill so seriously that any one understood it to mean that it should be taken up for consideration here and now. In view of the practice which has been in vogue in this House I think I am right in asking for time so that all members may know that they will have to submit amendments if any by a certain date and that real consideration of the Bill clause by clause may start after that date.

Mr. DEPUTY PRESIDENT: Yes, Government are not opposed to the motion moved by Mr. Nur Ahmed. They simply ask for time to give notice of amendments and I do not see anything irregular in this.

The question before the House is that the Bengal Court of Wards (Amendment) Bill 1940 (as reported by the Select Committee), be taken into consideration.

(The question was put and agreed to.)

Mr. DEPUTY PRESIDENT: I may say for the information of honourable members that amendments to the Bill will be accepted up to the 30th of October, 1946.

The Bengal Criminal Procedure (Election Offences) Amendment Bill, 1943.

Mr. NUR AHMED: I beg to move that the Bengal Criminal Procedure (Election Offences) Amendment Bill, 1943, be referred to a Select Committee consisting of:—

(1) The Honourable Mr. H. S. Suhrawardy, Minister in charge of the Home Department,

(2) Mr. J. L. Nelson,

(3) Mr. Humayun Z. A. Kabir,

(4) Mrs. Labanyaprobha Dutt,

(5) Mr. Moazzem Ali Chowdhury,

(6) Mr. Haridas Majumdar,
(7) Mr. Hamidul Huq Chowdhury,
(8) Mr. Reajuddin Bhuiya,
(9) Mr. Amulyadhone Roy,
(10) Mr. Kamini Kumar Dutta, and
(11) the mover,

with instruction to submit their report by the 31st March, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Sir, it is a very simple Bill the principal purpose of which is to do away with the provision of previous sanction for offences for false personification in the elections to local bodies.

Mr. BIJOY SINGH NAHAR: On a point of order, Sir. The mover has proposed certain names for the Select Committee, but I am sorry that no consent has been taken from this side of the House from the members suggested in the personnel.

Besides, the number of members on the Select Committee from our party is also not according to our quota.

Mr. DEPUTY PRESIDENT: What is your objection?

Mr. BIJOY SINGH NAHAR: Firstly, Sir, no consent has been taken of the members who have been selected from our party, and, secondly, proper quota has not been given to us according to party basis. According to rules consent of the Opposition should be taken in regard to the selection of the personnel before, and we should get proper quota.

Mr. DEPUTY PRESIDENT: There is no hard and fast rule that on the Select Committee each party will be properly and adequately represented. There is a convention like that. The difficulty is that all the honourable members have not yet signified to which party they belong and in the absence of such a declaration by each member it is difficult to ascertain the relative party strength.

Mr. BIJOY SINGH NAHAR: I may inform you, Sir, that our party has submitted the names of members of our party.

Mr. LALIT CHANDRA DAS: Not only the consent, Sir, but also the question of quota according to the number of members in the party. According to number we are entitled to three seats.

Mr. DEPUTY PRESIDENT: So far as the Congress Group is concerned they have declared in writing their numerical strength; they are entitled to more representation on the Committees. As regards consent of the members I have already expressed my opinion, and it is that, if there is any objection from any member to serve on a Committee, I must take that factor into consideration and in the absence of any such objection I shall take it that the members whose names have been proposed have no objection to serve on the Committee.

Mr. KAMINI KUMAR DATTA: Sir, my name appears on the Select Committee proposed for this Bill. Of course I have objection not only in respect of this Committee but also in respect of other committees and I have given almost a general indication to the movers of the Bills requesting them to spare me as far as possible. I am living at a long distance from here and so I have told them to try to find some other member of my party to take my place. I do not like to be on the Committee owing to my inability.

Mr. DEPUTY PRESIDENT: So the personnel of the Select Committee will have to be changed by an amendment by a member suggesting other names of the members who are willing to serve on the committee in place of those who will not be able to do so.

Then comes the question of quota to be given to the Congress Party and other Parties. I have already expressed the difficulty on my part because I have not got any declaration from the different parties as to their strength.

Mr. LALIT CHANDRA DAS: We are entitled to our quota.

Mr. KAMINI KUMAR DUTTA: Considering the strength of our Party to the strength of the House as a whole we are entitled to proportionate representation.

Mr. DEPUTY PRESIDENT: That question may be amicably settled now or later. Let an amendment be made from the Government side to change the personnel of the Select Committee replacing the names of those who cannot serve on this Committee. May I hear the Leader of the House?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The question of Select Committee need not arise now, Sir, as regards item No. IV as I have put in an amendment for recirculation of this Bill. That is why I am not in a position to agree to refer this Bill to a Select Committee. Because this is a very important matter. I think further circulation is necessary.

Mr. MOAZZEM ALI CHAUDHURY: They (meaning the Congress) are entitled to 3 seats on the Select Committee.

Mr. DEPUTY PRESIDENT: Order, order. Motion moved: that the Bengal Criminal Procedure (Election Offences) Amendment Bill, 1943, be referred to a Select Committee consisting of:—

(1) The Hon'ble Mr. H. S. Suhrawardy, Minister-in-charge of the Home Department,
(2) Mr. J. L. Nelson,
(3) Mr. Humayun Z. A. Kabir.
(4) Mrs. Labanyaprobha Dutt,
(5) Mr. Moazzem Ali Chaudhury,
(6) Mr. Haridas Majumdar,
(7) Mr. Hamidul Huq Chowdhury,
(8) Mr. Reajuddin Bhuiya,
(9) Mr. Amulyadhone Roy,
(10) Mr. Kamini Kumar Dutta, and
(11) the mover,

with instructions to submit their report by the 31st March, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I beg to move that the Bengal Criminal Procedure (Election Offences) Amendmentt Bill, 1943, be re-circulated for the purpose of eliciting further opinion thereon by the 31st December, 1946.

The point is this: a very important change is contemplated by this Bill and so I think further re-circulation is necessary and further opinion should be invited. I would therefore request the honourable mover of the motion to agree to my amendment.

I have put down the date as the 31st December, 1946, but if my honourable friend wants that the date should be shortened then I am prepared to accept that.

Mr. NUR AHMED: I agree to the re-circulation by the 31st December, Sir.

Mr. DEPUTY PRESIDENT: Amendment moved: that the Bengal Criminal Procedure (Election Offences) Amendment Bill, 1943, be re-circulated for the purpose of eliciting further opinion thereon by the 31st December, 1946.

The question before the House is that the Bengal Criminal Procedure (Election Offences) Amendment Bill, 1943, be re-circlated for the purpose of eliciting further opinion thereon by the 31st December, 1946.

The question was put and agreed to.

The Bengal Moslem Marriage Extravagant and Superfluous Expenditure Regulation Bill, 1940.

Mr. NUR AHMED: Sir, I do not move my motions Nos. 5, 6 and 7 but I shall move No. 8.

Sir, before I move my motion No. 8, however, I ask your permission to amend certain names. When I gave notice of my motion there was no definite alignment of parties. Mr. Amulyadhone Roy then belonged to the Congress party but now he does not belong to that party. So I would ask my Congress friends to suggest two other names from their side so that their quota of members on the Select Committee may be intact. Mr. B. C. Dutt is there, and two other members are wanted. I, therefore, request my Congress friends to suggest two names from their party.

Mr. DEPUTY PRESIDENT: Go on, Mr. Nur Ahmed.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, he wants to have two names from the Congress party and is waiting for their suggestion.

Mr. DEPUTY PRESIDENT: But I cannot wait indefinitely for this: Let him move his motion first as it is.

Mr. NUR AHMED: Sir, I beg to move that the Bengal Moslem Marriage Extravagant and Superfluous Expenditure Regulation Bill, 1940, be referred to a Select Committee consisting of:—

(1) The Hon'ble Mr. Jogendra Nath Mandal, Minister in charge of the Judicial and Legislative Departments,
(2) Khan Sahib Maulvi Wahiduzzaman,
(3) Mr. J. L. Nelson,
(4) Mr. Haridas Majumdar,
(5) Mr. Haji Md. Yusuf,
(6) Mr. Amulyadhone Roy,
(7) Mr. Bankim Chandra Dutta,
(8) Mr. Moazzem Ali Chaudhury,
(9) Rai Bahadur Dhirendra Lal Barua,
(10) Khan Bahadur Sheikh Fazal Ellahi, and
(11) the mover,

with instructions to submit their report by the 31st January, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Sir, this is a very important Bill which deals with a very vital problem in respect of the Muslim community of Bengal today. It is an admitted fact. It is found by such an important body as the Bengal Banking Enquiry Committee that Muslims sometimes—especially Muslim peasantry of Bengal—incur loans at the time of the marriage of their daughters and children. A very cruel tradition is followed in the villages and the examples of wealthy Muslims are sought to be followed by poor Muslims

and as a result of this loans are incurred and in this way sometimes they lose all their belongings, all their properties, even their homesteads and are financially ruined. Sir, when Turkey was declared a Republic, they enacted a Bill of this nature. Other countries have also enacted such a Bill to prevent such extravagant expenditure in marriage. I want to make it clear that my purpose is to safeguard the poor Muslim mass from this ruinous practice of incurring extravagant and unnecessary expenditure in marriage ceremonies. I have brought this Bill as I feel that some sort of Bill should be brought to put a check on the extravagant expenditure incurred by our poor Muslim peasantry. There may be objection to this Bill on the ground that social legislations sometimes remain a dead letter. Is it so? Sarda Act has been passed and many other similar Acts have been passed and they have become effective, and I say that this Bill, when passed into law, will be effective and so I appeal to the Muslim members to support this Bill. My object is to do something towards the social and economic uplift of the Muslim community of Bengal. So I appeal to the members of the House to support my motion.

Mr. HAMIDUL HUQ CHOWDHURY: May I enquire, Sir, because I could not follow the honourable member,—is his Bill for the purpose of extravagant marriage or because of the extravagant expenditure on marriage. (Laughter.)

Mr. DEPUTY PRESIDENT: Order, order. Motion moved that the Bengal Moslem Marriage Extravagant and Superfluous Expenditure Regulation Bill, 1940, be referred to a Select Committee consisting of:—

(1) The Hon'ble Mr. Jogendra Nath Mandal, Minister in charge of the Judicial and Legislative Departments,
(2) Khan Sahib Maulvi Wahiduzzaman,
(3) Mr. J. L. Nelson,
(4) Mr. Haridas Majumdar,
(5) Mr. Haji Md. Yusuf,
(6) Mr. Amulyadhone Roy,
(7) Mr. Bankim Chandra Datta,
(8) Mr. Moazzem Ali Chaudhury,
(9) Rai Bahadur Dhirendra Lal Barua.
(10) Khan Bahadur Sheikh Fazal Ellahi, and
(11) the mover,

with instructions to submit their report by the 31st January, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Mr. ABDUL RASHID: Sir, I beg to move a short-notice amendment, and it is that (1) in place of Rai Bahadur Dhirendra Lal Barua the name of Mr. Biswanath Roy, and (2) in place of Khan Bahadur Sheikh Fazal Ellahi, the name of Rai Bahadur Brojendra Mohan Maitra be substituted.

Mr. DEPUTY PRESIDENT: Are you moving your amendment, Mr. Saiyed Muazzamuddin Hosain?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I do not move my amendment, Sir.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Moslem Marriage Extravagant and Superfluous Expenditure Regulation Bill, 1940, be referred to a Select Committee consisting of:—

(1) The Hon'ble Mr. Jogendra Nath Mandal, Minister-in-charge of the Judicial and Legislative Departments,
(2) Khan Sahib Wahiduzzaman,
(3) Mr. J. L. Nelson,
(4) Mr. Haji Md. Yusuf,

(5) Mr. Haridas Majumdar,
(6) Mr. Amulyadhone Roy,
(7) Mr. Bankim Chandra Datta,
(8) Mr. Moazzem Ali Chowdhury,
(9) Mr. Biswanath Roy,
(10) Rai Bahadur Brojendra Mohan Maitra, and
(11) the mover,

with instructions to submit their report by the 31st January, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Mr. WAHIDUZZAMAN: My name may be correctly read as "Mr. Wahiduzzaman" and not as "Khan Sahib Wahiduzzaman".

Mr. DEPUTY PRESIDENT: Before I sit down I want to say a few words by way of reply to the question which has been raised by my friend Mr. Wahiduzzaman. From the Chair I cannot make any amendment. I am to read the names just as they are printed and placed before me. So if any honourable member thinks that he should no longer be called as Khan Sahib so and so, he should write to my office so that necesasry action may be taken there.

Mr. WAHIDUZZAMAN: We have already informed the Governor of Bengal renouncing our titles. That should be sufficient.

Mr. DEPUTY PRESIDENT: My office is not supposed to know what you have written to the Governor.

Order, order. The question before the House is that the Bengal Moslem Marriage Extravagant and Superfluous Expenditure Regulation Bill, 1940, be referred to a Select Committee consisting of:—

(1) The Hon'ble Mr. Jogendra Nath Mandal, Minister-in-charge of the Judicial and Legislative Departments,
(2) Khan Sahib Wahiduzzaman,
(3) Mr. J. L. Nelson,
(4) Mr. Haji Md. Yusuf,
(5) Mr. Haridas Majumdar,
(6) Mr. Amulyadhone Roy,
(7) Mr. Bankim Chandra Datta,
(8) Mr. Moazzem Ali Chowdhury,
(9) Mr. Biswanath Roy,
(10) Rai Bahadur Brojendra Mohan Maitra, and
(11) the mover,

with instructions to submit their report by the 31st January, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

The motion was put and agreed to.

Bengal Indecent Advertisement Prevention Bill, 1942.

Mr. NUR AHMED: I beg to move that the Bengal Indecent Advertisement Prevention Bill, 1942, be referred to a Select Committee consisting of—

(1) The Honourable Mr. H. S. Suhrawardy, Minister-in-charge of the Home Department,
(2) Mr. J. L. Nelson.
(3) Dr. Kumud Sankar Roy,
(4) Mr. Amulyadhone Roy,
(5) Mr. Nagendra Nath Mohalanobish,
(6) Khan Bahadur M. A. Momin, C.I.E.,

(7) Mr. Moazzemali Choudhury,
(8) Mr. Hamidul Huq Chowdhury,
(9) Maulana Muhammad Akrum Khan,
(10) Mr. Abdul Latif, and
(11) the mover,

with instructions to submit their report by the 31st March, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

At the outset, Sir, with your leave I would like to replace Khan Bahadur Momin who is dead, by Mr. Abdur Rashid on the Committee. I hope I have your permission.

Mr. DEPUTY PRESIDENT: Yes, you may.

Mr. NUR AHMED: Sir, this is a very important Bill which deals with a very. important aspect of our public life. The intention is to prohibit the publication of indecent advertisements which appear in the papers and in other places. This is very important for the sake of public morality. These indecent advertisements are calculated to deprave the moral sense. As the Government also intend to introduce a similar Bill so I do not think there will be any objection to this Bill.

As regards the quota of all the parties on the Select Committee I shall be very glad if my friends on the Congress side will suggest two names. When I gave notice of this motion Mr. Amulyadhone Roy was a member of the Congress party but subequently he left that party and consequently the quota is less by two, for which I am sorry.

Mr. ABDUR RASHID: Sir, I beg to move that the name of Moulana Md. Akram Khan be replaced by Mr. Patiram Roy and that of Khan Bahadur M. A. Momin by that of Mr. Abdur Rashid.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Indecent Advertisement Prevention Bill, 1942, be referred to a Select Committee consisting of—

(1) The Hon'ble Mr. H. S. Suhrawardy, Minister-in-charge of the Home Department,
(2) Mr. J. L. Nelson,
(3) Dr. Kumud Sankar Roy,
(4) Mr. Amulyadhone Roy,
(5) Mr. Nagendra Nath Mohalanobish,
(6) Mr. Abdul Rashid.
(7) Mr. Moazzemali Choudhury,
(8) Mr. Hamidul Huq Chowdhury,
(9) Mr. Patiram Roy,
(10) Mr. Abdul Latif, and
(11) the mover,

with instructions to submit their report by the 31st March, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

The question before the House is that the Bengal Indecent Advertisement Prevention Bill, 1942, be referred to a Select Committee consisting of—

(1) The Hon'ble Mr. H. S. Suhrawardy, Minister-in-charge of the Home Department,
(2) Mr. J. L. Nelson,
(3) Dr. Kumud Sankar Roy,
(4) Mr. Amulyadhone Roy,
(5) Mr. Nagendra Nath Mohalanobish,
(6) Mr. Abdur Rashid,

(7) Mr. Moazzemali Choudhury,
(8) Mr. Hamidul Huq Chowdhury,
(9) Mr. Patiram Roy,
(10) Mr. Abdul Latif, and
(11) the mover,

with instructions to submit their report by the 31st March, 1947, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

The question was put and agreed to.

The Indian Fisheries (Bengal Amendment) Bill, 1944.

Mr. NUR AHMED: Sir, I do not desire to move any other motions that are on the list in my name regarding reference of Bills to Select Committees.

I would therefore move item No. 25, the Indian Fisheries (Bengal Amendment) Bill, 1944.

I beg to move that the Indian Fisheries (Bengal Amendment) Bill, 1944, be circulated for the purpose of eliciting opinion thereon by the 31st January, 1947.

The question of fisheries in Bengal is in the offing and it is going to be taken up on a large scale. Therefore it is necessary that some sort of regulation as regards the destruction of fry, catching of fish, etc., should be enacted in Bengal.

In Madras, there is a similar Act and also in other provinces there are Acts of a similar nature, and this Bill has been framed on the lines of the Acts of other provinces. In view of the special circumstances prevailing in Bengal I move the circulation of this Bill for eliciting public opinion on it and hope that the House will accept the motion.

Mr. DEPUTY PRESIDENT: Motion moved that the Indian Fisheries (Bengal Amendment) Bill, 1944, be circulated for the purpose of eliciting opinion thereon by the 31st January, 1947.

The question before the House is that the Indian Fisheries (Bengal Amendment) Bill, 1944, be circulated for the purpose of eliciting opinion thereon by the 31st January, 1947.

The motion was put and agreed to.

The Bengal Urban Area Rent Regulation Bill, 1943.

Mr. NUR AHMED: I beg to move for leave to introduce the Bengal Urban Area Rent Regulation Bill, 1943.

Mr. DEPUTY PRESIDENT: The question before the House is that leave be granted to Mr. Nur Ahmed to introduce the Bengal Urban Area Rent Regulation Bill, 1943.

The question was put and agreed to.

The Secretary then read the short title of the Bill—The Bengal Urban Area Rent Regulation Bill, 1943.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

The Bengal Practitioners of Indian System of Medicine Bill, 1944.

Mr. NUR AHMED. I beg to move for leave to introduce the Bengal Practitioners of Indian System of Medicine Bill, 1944.

Mr. DEPUTY PRESIDENT: The question before the House is that leave be granted to Mr. Nur Ahmed to introduce the Bengal Practitioners of Indian System of Medicine Bill, 1944.

The question was put and agreed to.

The Secretary then read the short title of the Bill—The Bengal Practitioners of Indian System of Medicine Bill, 1944.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

The Agriculturists' Loans (Bengal Amendment) Bill, 1944.

Mr. NUR AHMED: I beg to move for leave to introduce the Agriculturists' Loans (Bengal Amendment) Bill, 1944.

Mr. DEPUTY PRESIDENT: The question before the House is that leave be granted to Mr. Nur Ahmed to introduce the Agriculturists' Loans (Bengal Amendment) Bill, 1944.

The question was put and agreed to.

The Secretary then read the short title of the Bill—the Agriculturists' Loans (Bengal Amendment) Bill, 1944.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

The Bengal Village Self-Government (Amendment) Bill, 1944.

Mr. NUR AHMED: I beg to move for leave to introduce the Bengal Village Self-Government (Amendment) Bill, 1944.

Mr. DEPUTY PRESIDENT: The question before the House is that leave be granted to Mr. Nur Ahmed to introduce the Bengal Village Self-Government (Amendment) Bill, 1944.

The question was put and agreed to.

The Secretary then read the short title of the Bill—The Bengal Village Self-Government (Amendment) Bill, 1944.

Mr. DEPUTY PRESIDENT: The Bill is introduced.

Prorogation.

Mr. DEPUTY PRESIDENT: Order, order. I have it in command from His Excellency the Governor that the Bengal Legislative Council do now stand prorogued.

Members absent.

The following members were absent from the meeting of the Council held on the 25th September, 1946:—

(1) Mr. Sultanuddin Ahmed,
(2) Mr. L. P. S. Bourne,
(3) Khan Bahadur Syed Abdur Rashid Chowdhury,
(4) Mr. Yusuf Ali Chowdhury,
(5) Khan Bahadur Sk. Fazal Ellahi,
(6) Mr. Mangturam Jaipuria,
(7) Alhaj Khan Bahadur Sk. Muhammed Jan,
(8) Mr. Humayun Z. A. Kabir,
(9) Maulana Muhammed Akrum Khan,
(10) Mr. Syed Abdul Majid,
(11) Mr. Nagendra Nath Mohalanobish,
(12) Mr. T. B. Nimmo,
(13) Khan Bahadur Mukhlesur Rahman,
(14) Dr. Kumud Sankar Roy,
(15) Mr. F. C. J. Steuart,
(16) Mr. Md. Taufiq, and
(17) The Hon'ble Sir Bijoy Prasad Singh Roy.

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